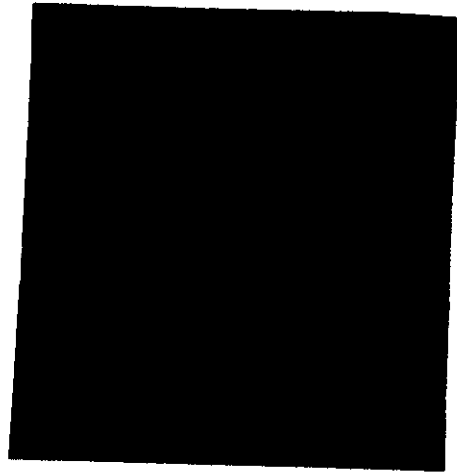


43621



Gordon's Auto Parts Inc

SUMMARY FOR GORDON'S AUTO PARTS, INC.

Gordon's Auto Parts, Inc. ("Gordon's Auto") was an automobile parts dealer located at the corner of Belvedere and Fulton Streets throughout the relevant time period.

Waukegan Disposal handled the waste hauling for Gordon's Auto throughout the 1960s. (Ole Kirkegaard 172, 694-95; Peder Kirkegaard 667) Gordon's Auto used two 55-gallon drums as well as corrugated boxes and 30-gallon grease cans to handle its waste. (Ole Kirkegaard 695)

The waste in the boxes and 30-gallon cans consisted of small metal auto parts, floor sweepings and rags. The 55-gallon drums contained general garbage and office papers, and had an oily, greasy liquid in the bottom of the drums. (Ole Kirkegaard 696; Peder Kirkegaard 668; Ladewig affidavit at ¶ 24)

All of the waste from Gordon's Auto was taken to the Edwards Field/Yeoman Creek landfills ("The Site") for disposal. (Ole Kirkegaard 697)

In summary, Gordon's Auto arranged for the disposal of at least a total of 85 cubic yards of waste per year at the Site as well as a number of 30-gallon cans per year at the Site from approximately 1962 to 1969. (Ole Kirkegaard 695-697)

The following issues should be addressed in the Allocation Counsel's investigation:

1. Determine the components of Gordon's Auto's waste stream during the relevant time period.
2. Determine the nature and volume of each component in Gordon's Auto's waste stream during the relevant time period.

Gordon's Auto Parts Inc

Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V.I  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

The deposition of OLE KIRKEGAARD, called  
as a witness for examination, taken pursuant to the  
Federal Rules of Civil Procedure of the United  
States District Courts pertaining to the taking of  
depositions, taken before MELANIE JAKUS, a Notary  
Public within and for the County of DuPage, State  
of Illinois, and a Certified Shorthand Reporter of  
said state, at Suite 7200, 233 South Wacker Drive,  
Chicago, Illinois, on the 28th day of July, A.D.  
1993, at 9:30 a.m.

1 MR. RANDOLPH: Keep your voice up, if you  
2 would.  
3 BY MR. RODRIGUEZ:  
4 Q. From the mall, where would you go?  
5 A. Then I would go east of Belvidere to --  
6 there was a food store here, what they call Yankee  
7 Doodle. It's still right here (indicating).  
8 MR. RANDOLPH: The witness has made a dot in  
9 blue between Elmwood and Fulton Avenues on  
10 Belvidere Street. You called that Yankee Doodle?  
11 THE WITNESS: Yankee Doodle.  
12 MR. BOWMAN: Gabe, is this all in Waukegan so  
13 far on this second route?  
14 MR. RODRIGUEZ: Well, we'll ask him.  
15 BY MR. RODRIGUEZ:  
16 Q. Is this all still part of Waukegan?  
17 A. Yes.  
18 Then from there I would go to Gordon's  
19 Auto Parts.  
20 MR. RANDOLPH: The witness has made a dot at  
21 the corner of Belvidere and Fulton Street, which I  
22 have marked as "Gordon's."  
23 BY THE WITNESS:  
24 A. The next one would be Ted's Log Cabin,

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., )  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 in those drums?  
2 A. Yes. A lot of oil, transmission fluid  
3 and red-looking type of stuff.  
4 Q. Red-looking liquid?  
5 A. Liquid.  
6 Q. Was the liquid loose in the bottom of  
7 the drums?  
8 A. Yes.  
9 Q. Okay. What else do you recall?  
10 A. Boxes and office papers.  
11 Q. Do you recall any metal transmission  
12 parts, scrap parts that you saw in the waste?  
13 A. Yes.  
14 Q. How often would you see that?  
15 A. Maybe once a month they had some of  
16 that.  
17 Q. Where was their waste taken to?  
18 A. Yeoman Creek.  
19 Q. Do you remember a company called  
20 Gordon's Auto Parts?  
21 A. Yes.  
22 Q. Where were they located?  
23 A. On Belvidere Street.  
24 Q. Where in relation to Karry Transmission?

1 A. Almost across the street.  
2 Q. Okay. Who handled their waste?  
3 A. Waukegan Disposal Service.  
4 Q. In what period of time in the sixties?  
5 A. All the way through the sixties.  
6 Q. What route was that on?  
7 A. The Belvidere route.  
8 Q. Could you describe the area in which you  
9 picked up their waste?  
10 A. The building was on the south side of  
11 the street, Belvidere Street, and there was an  
12 alley on the south side behind the building. They  
13 had a door in the back of the building, and they  
14 had two 55-gallon drums, steel drums, sitting  
15 outside the door.  
16 When we got there, some of the employees  
17 from Gordon's came out, opened the door, and they  
18 had a bunch of stuff inside that we took at the  
19 same time.  
20 Q. What type of containers did they carry  
21 waste out in?  
22 A. They had corrugated boxes, and they also  
23 had 30 gallon grease cans.  
24 Q. Okay. Let's start with the waste that

1 was brought out by the employees.  
2 Do you remember what was in those boxes



3 and 30-gallon cans?  
4 A. Sometimes small parts of -- auto parts.  
5 Q. What do you mean by "small auto parts"?  
6 A. Well, if you have a default part, you  
7 bring it back, and it don't work, and so they give  
8 them another new part, and the old part they throw  
9 away.  
10 Q. Were those metal parts?  
11 A. Yes.  
12 Q. What else do you recall in the waste  
13 that was brought out from inside the building, if  
14 anything?  
15 A. Floor sweepings and rags and stuff like  
16 that.  
17 Q. What about in the 55-gallon drums? What  
18 do you recall in that waste?  
19 A. General garbage with office papers.  
20 Q. Do you recall any liquid in the bottom  
21 of those drums?  
22 A. There was some, yes.  
23 Q. What type of liquid was it?  
24 A. Oily, greasy stuff.

697

1 Q. What type of business was operated  
2 there?  
3 A. Selling auto parts.  
4 Q. How many times a week did you pick up at  
5 Gordon's?  
6 A. I believe that was either once or twice  
7 a week.  
8 Q. Where did you take their waste?  
9 A. Yeoman Creek.  
10 Q. Do you recall a company called  
11 Pfanstiehl Laboratories?  
12 A. Yes.  
13 Q. Where were they located?  
14 A. On Glen Rock.  
15 Q. Who handled their waste?  
16 A. Waukegan Disposal.  
17 Q. During what period of time?  
18 A. Late sixties.  
19 Q. I'm sorry. During what period of time  
20 did Waukegan haul Pfanstiehl Laboratories?  
21 A. At the time when it was T & K, late  
22 sixties, right before T & K was invented.  
23 Q. How are you able to recall that it was  
24 just before the time that T & K was formed?

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

10  
11  
12                   October 21, 1993

13                   9:40 a.m.

14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23

1 had the equipment and then the office building.  
2 Q. Okay. By 1972, those all would have  
3 been roll-offs.  
4 A. The two locations were all roll-off,  
5 yes.  
6 Q. Had you picked up from all four of those  
7 locations prior to mid-1969?  
8 A. Yes. I'm sorry. No, not the place out  
9 west of Grand Avenue in another town. That was  
10 later.  
11 Q. Other than what you described, do you  
12 recall any other locations from which Waukegan  
13 Disposal picked up Commonwealth Edison waste during  
14 the period 1959 to '69?  
15 A. No, I don't.  
16 Q. Next, I'd like to ask you about a  
17 company called Gordon's Auto Parts. Let me ask you  
18 if you recognize that name.  
19 A. Yes, I do.  
20 Q. I believe at one time it was located on  
21 Sheridan Road in North Chicago.  
22 Do you recall that location?  
23 A. Vaguely.  
24 Q. Do you recall whether Gordon's in fact

1 was a customer of Waukegan Disposal?  
2 A. Yes.  
3 Q. Did you pick up waste on occasion from  
4 Gordon's personally?  
5 A. Yes, but not in North Chicago.  
6 Q. Did you pick up waste from their  
7 location on Belvidere Street?  
8 A. Yes, I did.  
9 Q. Do you recall when it was that Waukegan  
10 Disposal began hauling waste for Gordon's Auto?  
11 A. I don't recall that.  
12 Q. Was it during the 1950s or sixties, if  
13 you can recall?  
14 A. It was in the sixties.  
15 Q. Do you recall whether any waste from  
16 Gordon's Auto went to Yeoman Creek Landfill?  
17 A. Yes, it did.  
18 Q. Do you recall during what period of time  
19 during the sixties waste from Gordon's would have  
20 gone to Yeoman Creek?  
21 A. I do not recall that.  
22 Q. Do you remember if it was early, mid or  
23 late sixties that they became a customer of  
24 Waukegan Disposal?

1 A. I don't recall that.  
2 Q. Do you recall the type of containers at

3 Gordon's Auto at Belvidere Street?  
4 A. No, I don't.  
5 Q. Do you recall the frequency of pickups?  
6 A. No.  
7 Q. Do you recall the nature of the waste?  
8 A. I believe we had to go inside a door in  
9 the back, and I remember one time they had a  
10 Doberman Pinscher in there that were getting after  
11 us.  
12 Q. Do you recall anything about their waste  
13 stream?  
14 A. I recall quite a bit of corrugated, and  
15 I don't really -- it was a mixture of oily  
16 materials, too.  
17 Q. Oily materials you say.  
18 A. Yes.  
19 Q. Did it include office papers?  
20 A. It would include office paper.  
21 Q. Directing your attention to Exhibit 3,  
22 Page 6, halfway down the page there's a notation of  
23 "Gordon's Auto Parts."  
24 Do you see that?

669

1 A. Yes.  
2 Q. Does that indicate that Gordon's was a  
3 customer of Waukegan Disposal as of March 1972?  
4 A. It's listed as -- I'm looking for the  
5 amount they were paying. I do not see that.  
6 Q. Well, it doesn't have an amount due and  
7 owing 0 to 30 days, does it, as of that time?  
8 A. No.  
9 Q. Do you know of any reason you would have  
10 listed that as an account if it was not a customer  
11 of Waukegan Disposal?  
12 A. There would be no reason for listing it  
13 if it was not an account.  
14 Q. The only individuals and companies on  
15 this list were in fact those who were accounts of  
16 Waukegan Disposal as of March 31, 1972, is that  
17 right?  
18 A. Yes.  
19 Q. So therefore Gordon's was in fact a  
20 customer of Waukegan Disposal as of March 31,  
21 1972.  
22 A. Yes.  
23 Q. Do you know if it was continuously a  
24 customer of Waukegan from some point during the

670

1 1960s through March 1972?  
2 A. I don't.  
3 Q. Do you recall ever losing that account  
4 at any point during that period?  
5 A. I don't recall that.

6 Q. The waste picked up there would have  
7 gone to Yeoman Creek.  
8 A. Yes.  
9 Q. Do you recall an International Harvester  
10 truck dealership in Waukegan?  
11 A. Yes.  
12 Q. That was located on Belvidere Street.  
13 A. Yes.  
14 Q. Do you recall whether that was a  
15 customer of Waukegan Disposal?  
16 A. Yes, it was.  
17 Q. During what period of time?  
18 A. From '59 till we lost it to John Sisson.  
19 Q. When would that have been?  
20 A. That would have been when we stopped  
21 buying International trucks.  
22 Q. Do you recall when that would have been,  
23 what year?  
24 A. I can't quite remember that.

STATE OF ILLINOIS     )  
                              ) SS:  
COUNTY OF LAKE        )

AFFIDAVIT OF VERNON T. LADEWIG, JR.

I, Vernon T. Ladewig, Jr. having first been duly sworn upon oath, do hereby depose and state as follows:

1. I have personal knowledge of the facts set forth in this affidavit and would be competent to testify thereto.

2. I reside at 1341 Eastview Drive, Waukegan, Illinois 60085.

3. From 1964 to 1970 I was employed by the Waukegan Disposal Company. During 1968 through 1970 I worked for Waukegan Disposal Co. full time. Prior to that time, for about four years, I worked part-time. My duties included driving a garbage truck, picking up waste from commercial customers, and hauling the waste to whatever dump site Waukegan Disposal was using at the time. For the first month or so that I worked for Waukegan Disposal, we used the landfill that is now Edwards Field. When it filled up and closed we changed to the Yeoman Creek Landfill in Waukegan, Illinois for disposal. Sometime in 1969, Waukegan Disposal stopped using the Yeoman Creek Landfill.

4. Except where indicated otherwise in my testimony below, all customers' waste was picked up from one-yard dumpsters which the customers kept outside of their buildings. These dumpsters routinely contained a variety of materials including paper, metal, rags, wood -- basically all the wastes the customer generated except those disposed down a sewer.

handled these pick-ups. They were a customer during the entire time I worked for Waukegan Disposal.

20. Ace Hardware on Genesee sent barrels of broken glass, hardware, containers with liquid, packaging, etc. daily. We picked up approximately 8 barrels per day. They were a customer during the entire time I worked for Waukegan Disposal.

21. Chicago Rubber Co. on Market Street sent rubber pieces and shavings. We picked up one yard per week. They were a customer during the entire time I worked for Waukegan Disposal until their plant burned down about 1970.

22. F.K. Patterns & Foundry sent foundry sand and used molds. We picked up one yard twice per week. They were a customer during the entire time I worked for Waukegan Disposal.

23. Goelitz Candy on Morrow in North Chicago sent baled used sugar bags, once or twice per month.

24. Gordons Auto sent paper, sand, brake drums and grindings, brake shoes, etc. We picked up 2 dumpsters per week. They were a customer during the entire time I worked for Waukegan Disposal.

25. Larson & Peterson Paint was a customer. They were a customer during the entire time I worked for Waukegan Disposal.

26. Huron Cement (National Gypsum) at <sup>Market</sup> Marquet Street sent broken cement bags. We picked up at least one yard, three times per week. Huron would sometimes call for additional

Illinois Bell Telephone Co.



## SUMMARY FOR ILLINOIS BELL TELEPHONE COMPANY

During the relevant time period, Illinois Bell Telephone Company ("Illinois Bell") operated three facilities in the Waukegan area. Throughout the 1960s, Illinois Bell operated a building on Buttrick Street with offices and an equipment maintenance facility. (Ole Kirkegaard 666) In addition, in the mid to late 1960's, Illinois Bell took over a building from North Shore Gas on Edison Court. (Ole Kirkegaard 667) Similar functions were performed at this facility. Finally, in the late 1960s, Illinois Bell constructed an office building on Grand Avenue.

During the early 1960s, A&A Disposal Company, owned by Fred Larsen, hauled waste for Illinois Bell from its Buttrick Street facility. (Ole Kirkegaard 668) During this time, A&A Disposal took all of its waste to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 667-68)

Illinois Bell's Buttrick Street facility became a customer of Waukegan Disposal during the mid to late 1960's. Waukegan Disposal picked up waste at this facility either three or five times per week. (Ole Kirkegaard 669) Illinois Bell placed its waste in three to four one-yard ground containers and six to seven 55-gallon drums. Its waste consisted of corrugated cardboard, office waste, quart cans of oil, scrap wires, and short pieces of telephone poles coated with a "dark, smelly material." (Ole Kirkegaard 669-70, 758) All of the waste picked up by Waukegan Disposal from the Buttrick Street facility was hauled to the Site. (Ole Kirkegaard 670)

In the mid to late 1960's, Illinois Bell took over a facility on Edison Court from North Shore Gas. Waukegan Disposal also hauled waste from this facility. The waste at this facility was very similar to the waste generated at Illinois Bell's Buttrick Street facility, with the exception that no telephone poles were disposed of at this facility (Ole Kirkegaard 913)

Finally, Peder Kirkegaard recalled that Waukegan Disposal also hauled office waste from the Illinois Bell facility located on Grand Avenue, which was constructed in the late 1960s. (Peder Kirkegaard 726) He could not recall, however, if this service began during the period in which the Site was operating. (Peder Kirkegaard 793-94)

In summary, Illinois Bell arranged for the disposal of at least a total of 725 cubic yards of waste per year at the Site, for all its facilities combined, from approximately 1964 to 1969. (Ole Kirkegaard 669-670)

# Illinois Bell Telephone Co. Deposition Excerpts

The following issues should be addressed in the Allocation Counsel's investigation:

1. Determine the number of telephone poles disposed of by Illinois Bell during the relevant time period and the nature of the coating on these poles.
2. Determine the dates of Illinois Bell's operation of the three facilities described above.
3. Determine the identity of all waste haulers used by Illinois Bell other than Waukegan Disposal, the periods of time in which these waste haulers performed services for Illinois Bell and the waste disposal sites used by the waste haulers.
4. Determine the components of Illinois Bell's waste stream during the relevant time period.
5. Determine the nature and volume of each component in Illinois Bell's waste stream during the relevant time period.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) VI  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

The deposition of OLE KIRKEGAARD, called  
as a witness for examination, taken pursuant to the  
Federal Rules of Civil Procedure of the United  
States District Courts pertaining to the taking of  
depositions, taken before MELANIE JAKUS, a Notary  
Public within and for the County of DuPage, State  
of Illinois, and a Certified Shorthand Reporter of  
said state, at Suite 7200, 233 South Wacker Drive,  
Chicago, Illinois, on the 28th day of July, A.D.  
1993, at 9:30 a.m.

1 say?  
2 BY MR. RODRIGUEZ:  
3 Q. Well, you tell me. Was this --  
4 A. Okay. There was a Jewel store that  
5 closed up, and Harmony Haven took it over as a  
6 furniture store in the early sixties, the first  
7 couple of years in the -- actually, it was Harmony  
8 Haven because of being in the middle sixties now,  
9 actually.  
10 MR. RANDOLPH: So the green dot I have marked,  
11 for the record, as "Harmony Haven," and that's at  
12 the corner of Jackson and Washington.  
13 BY MR. RODRIGUEZ:  
14 Q. Where did you go next?  
15 A. Then we went through west Lake Street,  
16 went north on Buttrick and picked up North Shore  
17 Gas Company.  
18 MR. RANDOLPH: The witness has made a green  
19 mark just east of Buttrick Street right opposite  
20 Jenkinson Court, which I have marked as "North  
21 Shore Gas."  
22 BY THE WITNESS:  
23 A. Which later was taken over by Illinois  
24 Bell Company.

1 BY MR. RODRIGUEZ:  
2 Q. Okay.  
3 A. After that, we went back out to  
4 Washington Street, and there was a gas station on  
5 the corner on Buttrick. I can't remember the name  
6 of that gas station now. I'm losing my memory.  
7 Right on this corner there was a gas station we  
8 picked up (indicating). You're just going to have  
9 to put down "Gas Station."  
10 MR. RANDOLPH: The witness has made another  
11 green dot at the corner of Buttrick and Washington,  
12 which I have put the notation "Gas Station."  
13 BY THE WITNESS:  
14 A. Went out of the gas station, went to an  
15 alley on the north side of Washington Street.  
16 There was an alley in here where we picked up six  
17 or seven accounts in that alley off Washington  
18 Street.  
19 BY MR. RODRIGUEZ:  
20 Q. Do you remember the names of the  
21 accounts?  
22 A. Jack's Meat Market was one. There was a  
23 shoe store. There was a barber shop. There was a  
24 tavern. Tenth Inning Tavern they called it.

INTER:

What I'm trying to ask though.

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in your mind

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WAUKEGAN COMMUNITY SCHOOL  
DISTRICT NO. 60, et al., 440

v. Plaintiffs,  
ABBOTT LABORATORIES, et al.,  
Defendants.

)  
)  
)  
) Case No. 92 C 7592  
) Judge Leinenweber  
) Magistrate Judge Rosemond

July 30, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 7200, 233 South  
Wacker Drive, Chicago, Illinois.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. 1V  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 each other out.  
2 A. Yes.  
3 Q. Okay. Now, sticking with the Grand  
4 Avenue route, do you recall that there was an  
5 Illinois Bell facility on that route?  
6 A. Yes.  
7 Q. Where was that located?  
8 A. On Buttrick Street.  
9 Q. Buttrick between what two streets?  
10 A. Grand Avenue and Washington Street.  
11 Q. Which side of Buttrick was it on?  
12 A. On the east side of Buttrick.  
13 Q. What type of facility did Illinois Bell  
14 have there?  
15 A. They had offices and repair shops and so  
16 forth in that building.  
17 Q. Did they do any type of equipment  
18 maintenance at that facility do you recall?  
19 A. Yes.  
20 Q. Who handled the waste for Illinois Bell  
21 at that facility?  
22 A. Waukegan Disposal Service.  
23 Q. Now, had there been another facility in  
24 that location before Illinois Bell?

1 A. There was two locations. There was one  
2 on Edison Court where Illinois Bell was at. The  
3 Buttrick Street location was Illinois Bell all the  
4 time I was around.  
5 Q. Okay.  
6 A. The Edison Court location, Illinois Bell  
7 took over that in the mid-sixties, I believe, and  
8 earlier before that the North Shore Gas Company  
9 used to be in that building.  
10 Q. I want to concentrate for now on the  
11 Buttrick facility for Illinois Bell.  
12 During what portion of the sixties did  
13 Waukegan Disposal handle that waste?  
14 A. Late sixties.  
15 Q. Okay. We are talking about Buttrick  
16 now.  
17 A. Yes.  
18 Q. Okay. What route was that on? Is that  
19 the Grand Avenue route?  
20 A. Grand Avenue route, yes.  
21 Q. Did any other waste disposal firm handle  
22 that Illinois Bell facility before Waukegan  
23 Disposal did?  
24 A. Yes.

1 Q. Who did?  
2 A. A & A Disposal.



3 Q. And by "A & A," do you know who ran  
4 A & A Disposal?  
5 A. A guy by the name of Fred Larsen.  
6 Q. When do you recall did Waukegan Disposal  
7 take over hauling waste from that Illinois Bell  
8 facility?  
9 A. I believe in the mid-sixties Illinois  
10 Bell went out for bid, and Waukegan Disposal was  
11 the lucky winner.  
12 Q. Did you personally handle their waste at  
13 that facility?  
14 A. Yes.  
15 Q. How many physical locations did you pick  
16 up waste at the Buttrick facility?  
17 A. Two different locations.  
18 Q. Could you describe physically the layout  
19 in which you picked up those locations?  
20 A. The building was on the east side of  
21 Buttrick, and there was two buildings. We drove in  
22 between the buildings in a type of alley, and  
23 containers was in there both sides of the alley.  
24 Q. Okay. What type of containers?

669

1 A. They had some drums, and they also had  
2 some one cubic yard ground containers.  
3 Q. How many days per week did you pick up  
4 at the Buttrick facility?  
5 A. I believe there was three days a week.  
6 Either three or five. I don't recall.  
7 Q. Okay. Do you recall how many drums and  
8 how many one-yard containers were picked up?  
9 A. I believe they had three or four one  
10 cubic yard containers.  
11 Q. How many 55-gallon drums?  
12 A. I would say six or seven.  
13 Q. Do you recall the type of waste that was  
14 picked up at the Illinois Bell facility?  
15 A. They had corrugated office papers. They  
16 also had pieces of telephone poles, short pieces.  
17 They also had some quart cans of oil in the  
18 containers.  
19 Q. Now, you say "telephone poles."  
20 Were these telephone poles that had been  
21 used before?  
22 A. Old telephone poles, yes.  
23 Q. Were they coated?  
24 A. Yes.

670

1 Q. Do you recall any wire pieces in the  
2 Illinois Bell facility?  
3 A. Yes. They also had some wires.  
4 Q. Okay. Do you recall where their waste  
5 was taken to?

6 A. Yeoman Creek Landfill, yes.  
7 Q. Do you recall another Mobil station that  
8 Waukegan Disposal had on its Grand Avenue route?  
9 A. Yes.  
10 Q. Where was that located?  
11 A. Grand and Green Bay Road.  
12 Q. Which corner?  
13 A. Northwest corner.  
14 Q. During what portion of the sixties did  
15 Waukegan Disposal handle that waste?  
16 A. All the way through the sixties, I  
17 believe.  
18 Q. Could you describe physically the layout  
19 in which you picked up their waste?  
20 A. On the southwest side of the building,  
21 kind of toward behind the building, they had a  
22 little, fenced-in area type of thing where they had  
23 three to four 55-gallon steel drums.  
24 Q. What type of an operation was operated

671

1 at that facility?  
2 A. They did maintenance on cars and so  
3 forth.  
4 Q. How many days per week did you pick up  
5 there?  
6 A. I believe it was either once or twice a  
7 week.  
8 Q. Do you recall the type of waste that was  
9 picked up there?  
10 A. Yes. They had a lot of oil cans, quart,  
11 gallon oil cans.  
12 Q. Empty or full?  
13 A. Empty type.  
14 Q. Okay. What else?  
15 A. And toweling.  
16 Q. You say paper towels?  
17 A. Paper toweling they use for cleaning  
18 windows with.  
19 Q. Was there any liquid at the bottom of  
20 those drums?  
21 A. Yes.  
22 Q. What type of liquid was it?  
23 A. Oil.  
24 Q. Do you recall any engine parts, brake

672

1 parts or anything else in the waste at that Mobil  
2 station?  
3 A. Once in a while they had some small  
4 parts.  
5 Q. Metal parts?  
6 A. Metal parts there, yes.  
7 Q. Can you be any more specific as to the  
8 types of engine parts?

9 A. There was some tires, too, and steel  
10 pieces and whatever.  
11 Q. Okay. Where was their waste taken to?  
12 A. Yeoman Creek.  
13 Q. While we are talking about Mobil, do you  
14 remember another Mobil station at the corner of  
15 Sunset and Lewis?  
16 A. Yes.  
17 Q. Who handled their waste?  
18 A. Waukegan Disposal.  
19 Q. In what period of time?  
20 A. In the sixties.  
21 Q. Throughout the whole sixties?  
22 A. I know for sure in the mid-sixties.  
23 Q. What route was that on?  
24 A. That was on the north route.

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1 Q. What color is the north route designated  
2 on Kirkegaard Deposition Exhibit 1?  
3 A. On this you got that red top here, too  
4 (indicating).  
5 Q. The red?  
6 A. Yes.  
7 Q. Okay. Could you describe the layout  
8 again in the area in which you picked up that waste  
9 at the Mobil station at Sunset and Lewis?  
10 A. The building was located on the  
11 southwest corner, and the area was on the west side  
12 of the building where they had three or four  
13 55-gallon drums, too.  
14 Q. Okay. How many days per week did you  
15 pick up there?  
16 A. Either once or twice.  
17 Q. Was the waste any different from the  
18 waste you had picked up at the Grand and Green Bay  
19 Mobil station or was it basically the same?  
20 A. Basically, the same.  
21 Q. Where was their waste hauled to?  
22 A. Yeoman Creek Landfill.  
23 Q. Do you recall a company called  
24 Pfanstiehl Chemical on Noll and west Washington?

1           A.     Pretty similar to it because the reason  
2 is they did work on automobiles and so I would say  
3 yes.  
4           Q.     Okay. I have already asked you  
5 questions about some poles, segments of utility  
6 poles that you picked up from Illinois Bell and  
7 Commonwealth Edison.  
8                 Do you recall that?  
9           A.     Yes.  
10          Q.     I asked you if they were coated.  
11                 Can you tell us what colors, if you  
12 recall, the coating was?  
13          A.     They were cut in pieces three to four  
14 feet, and they were coated with some type of a coat  
15 of dark -- I don't recall the name on it.  
16          Q.     Did it have an odor?  
17          A.     Yes.  
18          Q.     How did it smell?  
19          A.     Strong.  
20          Q.     Just to clarify, I think you testified  
21 about certain transmission fluids that were in the  
22 waste stream at Karry Brothers Transmission.  
23                 Do you recall that?  
24          A.     Yes.

1 living in Waukegan for 35 years. I'm in sales with  
2 BFI, and I need to know what is going on in the  
3 areas. Many times I take that route across.  
4 Q. Okay. This is now an Illinois Bell  
5 facility.  
6 A. Yes.  
7 Q. Okay. Is Illinois Bell one of your  
8 customers today?  
9 A. No.  
10 Q. All right. I guess I'm a little  
11 confused.  
12 Why were you going to look at the site,  
13 if they weren't one of your customers.  
14 MR. RANDOLPH: I think there is confusion. I  
15 think he said he drove by and saw the facility  
16 driving by.  
17 MR. PETRAKIS: I stand corrected.  
18 BY MR. PETRAKIS:  
19 Q. You drove by the site?  
20 A. Yes.  
21 Q. When is the last time you actually saw  
22 the physical layout of the site? Was it when you  
23 were actually driving back in the sixties?  
24 A. No.

1 MR. RANDOLPH: When was the last time he was  
2 in the building?  
3 MR. PETRAKIS: Basically.  
4 MR. RANDOLPH: When was the last time you were  
5 in the building?  
6 THE WITNESS: That was in the sixties.  
7 BY MR. PETRAKIS:  
8 Q. Okay.  
9 A. Yes.  
10 Q. The pickups from the 55-gallon drums  
11 three times a week, were they always full?  
12 A. Yes.  
13 Q. Once you put in the 1-1/2 cubic yard  
14 dock containers, were those always full also?  
15 A. Yes.  
16 Q. I realize you are not in the billing end  
17 of the business, but do you have any idea what a  
18 normal charge for that would be talking about maybe  
19 10 to 12 55-gallon drums and a couple of 1-1/2  
20 cubic yard dock containers? Do you know what the  
21 normal charge for that would be?  
22 MR. RANDOLPH: Are we talking monthly charge  
23 on a twice-a-week basis?  
24 MR. PETRAKIS: Two or three-time-a-week basis

1 I think he said.

2 BY MR. PETRAKIS:  
3 Q. What is standard? I mean, I have no  
4 idea.  
5 MR. RANDOLPH: Do you know?  
6 THE WITNESS: At that time or now?  
7 BY MR. PETRAKIS:  
8 Q. At that time.  
9 A. At that time three times a week would  
10 probably run you at that time 60, \$70 a month.  
11 Q. Okay. Did any other disposal companies  
12 have any containers out there?  
13 A. No.  
14 Q. Now, just explain to me a little bit how  
15 you would load your truck in this time frame. I  
16 recall from a couple weeks ago you said at the  
17 early part of the decade the trucks were such that  
18 you had to do a little more of the work yourself.  
19 I think you had to maybe drag the garbage over or  
20 something.  
21 A. Yes.  
22 Q. Is that the period we are talking about  
23 here?  
24 A. Yes.

816

1 Q. Okay. So just tell me again -- to be  
2 honest with you, while you were talking about that  
3 a couple weeks ago, I couldn't hear. Your voice  
4 went down a little bit.  
5 What would you physically have to do at  
6 this period of time to load the truck?  
7 A. You would back up to the dock. You  
8 would walk over like eight to ten feet or maybe a  
9 little more or some less, pick up a bunch of  
10 55-gallon drums. You would roll them over to the  
11 truck, dump them into the truck, pull them out, put  
12 them back in or wherever they were at. That's how  
13 you kept doing that until you were finished  
14 emptying.  
15 Q. Once you installed the dock containers,  
16 that's basically when the procedure changed, and  
17 now you can put them on the back of the truck and  
18 the truck automatically loads, is that right?  
19 A. Dock containers you don't put on the  
20 truck.  
21 Q. No.  
22 A. You wheel them over to the truck and you  
23 dump them by hand.  
24 Q. That's also by hand?

817

1 A. Yes, but it's a little easier because  
2 there's wheels on them and --  
3 Q. Okay. As I understand it, though,  
4 regardless of how you loaded early decade, late

5 decade, you would look in the garbage, is that  
6 right?  
7 A. Yes.  
8 Q. You remember doing that at this site,  
9 right?  
10 A. Yes.  
11 Q. Do you remember doing that every pickup?  
12 A. When you tip the container over, it's  
13 full. You take it over to the truck. As you got  
14 the container in the front of you, you got the top  
15 of the container at your eye level and you look and  
16 see what is there. Then you take the container  
17 over to the truck and you dump it in and you run  
18 the packer blade. It comes down and packs in  
19 whatever goes in in the first dump. Now, the  
20 hopper is empty because it went down and packed it  
21 in. Then you look in the container seeing if there  
22 is anything left or you take your shovel, which we  
23 used those days, and scraped the rest of it into  
24 the hopper so the container was empty.

818

1 Q. All right. If you look into the  
2 container and there is nothing left, then have you  
3 seen the garbage?  
4 MR. RANDOLPH: Do you understand the  
5 question?  
6 BY THE WITNESS:  
7 A. Yes.  
8 BY MR. PETRAKIS:  
9 Q. All right. When did you see the  
10 garbage, as you were loading it the first time?  
11 A. As it went in, yes.  
12 Q. So you would watch -- these are the  
13 leach packers I presume we are talking about.  
14 A. Yes.  
15 Q. As the blade would push the garbage to  
16 the front, you're standing outside the truck  
17 watching, is that right?  
18 A. Yes.  
19 Q. And you can see what the blade is  
20 pushing, is that it?  
21 A. Well, whatever the blade is pushing is  
22 with the other side of the blade so I can't see  
23 that.  
24 Q. Okay.

819

1 A. See. But when I dump it into the  
2 hopper, I can see it. Then I pull the lever and  
3 the blade comes up and comes down and then goes  
4 down and --  
5 Q. All right. So as you pick up a  
6 55-gallon drum, after you have rolled it over and  
7 you lift it into the truck, you're watching to see

8 what is coming out, is that it?  
9 A. Yes.  
10 Q. Okay. Is that the only time you see the  
11 garbage, as you're tipping over the drum?  
12 MR. RANDOLPH: He also said it was at eye  
13 level as he was rolling the barrel over so that's a  
14 second time.  
15 BY MR. PETRAKIS:  
16 Q. Well, I take it what is at eye level as  
17 you're rolling the barrel over is what is on the  
18 top of the barrel.  
19 A. Yes.  
20 Q. Is the only other time you see the  
21 garbage as you're dumping it into the truck?  
22 A. Yes.  
23 MR. PETRAKIS: All right.  
24 MR. RANDOLPH: Or as he is scraping the bottom

820

1 out of it.  
2 MR. PETRAKIS: Okay.  
3 BY MR. PETRAKIS:  
4 Q. Anything else?  
5 A. No.  
6 Q. All right. Now, as you were emptying  
7 the drums and watching the garbage fall into the  
8 leach packer, with respect to each of your  
9 customers, you took note of what was in the  
10 garbage, right?  
11 A. I didn't take notes, no.  
12 Q. No, but mentally you actually noted what  
13 was in the garbage.  
14 A. Yes.  
15 Q. Okay. Did you take note of what was in  
16 North Shore's garbage every day?  
17 MR. RANDOLPH: By "take note," he means notice  
18 what is there.  
19 BY THE WITNESS:  
20 A. Yes.  
21 BY MR. PETRAKIS:  
22 Q. All right. I think you described North  
23 Shore's waste which you saw as you were emptying  
24 the 55-gallon drums as being wood, wiring, steel



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. V.  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 18, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 with respect to him.  
2 Marv never told you that he or National  
3 Disposal picked up from AHS prior to 1970.  
4 A. Yes.  
5 Q. He never did tell you that?  
6 A. He told me that.  
7 Q. He told you that they did pick up?  
8 A. I don't know -- yes. He told me they  
9 picked it up or he picked it up.  
10 Q. I understand that part.  
11 A. He's the foreman.  
12 Q. I understand that part, and you may be  
13 absolutely correct that National Disposal picked it  
14 up --  
15 A. Yes.  
16 Q. -- on or after 1970, but I'm asking  
17 whether he told you that they picked it up prior to  
18 1970.  
19 A. I don't know.  
20 MR. DIVER: I don't think I have any further  
21 questions.  
22 MR. KILROY: Good morning.  
23 THE WITNESS: Good morning.  
24 MR. KILROY: I represent Illinois Bell

1 Telephone Company. My name is Pat Kilroy.  
2 EXAMINATION  
3 BY MR. KILROY:  
4 Q. The first Illinois Bell facility you  
5 testified about yesterday was at Buttrick Road, is  
6 that right?  
7 A. Buttrick, yes.  
8 Q. Okay. What route was that on?  
9 A. That was on the Grand Avenue-Washington  
10 Street route.  
11 Q. Okay. What color is that on your map,  
12 Exhibit 1?  
13 A. That's the red and green here  
14 (indicating).  
15 Q. Okay. When did you first begin working  
16 that route?  
17 A. Mid-sixties.  
18 Q. All the way up until the time that the  
19 Yeoman Creek dump closed?  
20 A. Off and on, yes.  
21 Q. Okay. From the mid-sixties until the  
22 Yeoman Creek dump closed, what percentage of your  
23 time was spent on that route?  
24 A. I would say about 40 percent.

1 (WHEREUPON, Mr. Jeffrey R. Diver  
2 left the deposition proceedings.)

3 BY MR. KILROY:  
4 Q. Okay. Were there two buildings located  
5 on Buttrick Road?  
6 A. One.  
7 Q. All right.  
8 A. There could have been a small, little  
9 building behind the major building.  
10 Q. All right. But your pickups were only  
11 made at one location or two locations on Buttrick.  
12 A. I believe two locations, one on each  
13 side.  
14 Q. What side of the buildings were the  
15 locations where you made the pickups?  
16 A. What size?  
17 Q. What side, east, west, north?  
18 A. There was an alley in the back of the  
19 main building on the east side and that was picked  
20 up on the east side of that building, and right  
21 next to that there was another -- I believe there  
22 was a small, little building east of that alley and  
23 that was picked up from the same alley.  
24 Q. Okay. And those were both Illinois Bell

906

1 facilities?  
2 A. Yes.  
3 Q. Do you know what activities went on in  
4 either of those buildings?  
5 A. Yes.  
6 Q. Okay. The first building that you  
7 described, what activities went on there?  
8 A. That was offices and they had vehicles  
9 there.  
10 Q. Okay.  
11 A. And trucks also.  
12 Q. Was this a garage in there?  
13 A. Yes.  
14 Q. Okay. In the other building, what  
15 activities went on there?  
16 A. At the same location?  
17 Q. Yes, on Buttrick Road.  
18 A. I believe that -- I don't know for sure.  
19 Q. Okay.  
20 A. I couldn't tell you.  
21 Q. Did you speak with anyone at that  
22 Illinois Bell facility on Buttrick?  
23 A. No.  
24 Q. Okay. Did you have to do any paperwork

907

1 for that facility?  
2 A. No.  
3 Q. Was the Illinois Bell property there all  
4 fenced in?  
5 A. Yes.

6 Q. Okay. The alley, was that within the  
7 fenced-in area?  
8 A. That was a fence coming in off Buttrick  
9 going on the south side east and west down to the  
10 east fence, six feet fence.  
11 Q. All right.  
12 A. And we drove in along that fence, came  
13 down and drove in between the two buildings on the  
14 east side.  
15 Q. Okay.  
16 A. The east side of the first building.  
17 Q. To pick up the garbage there, did you  
18 have to enter into the fenced-in area?  
19 A. Yes.  
20 Q. Okay. At the first location where you  
21 made the pickup on Buttrick what sort of containers  
22 were there for hauling?  
23 A. They had a bunch of -- they had some 55  
24 gallon steel drums.

908

1 Q. Okay. About how many?  
2 A. Anywhere between four and six or eight.  
3 Four to eight.  
4 Q. Okay. Did they have any other  
5 collecting material for refuse?  
6 A. They also had, I believe, either three  
7 or four one cubic yard containers.  
8 Q. At the second collection point, what did  
9 they have there?  
10 A. Those two locations was close by each  
11 other actually. One was the other side of the  
12 alley and the other was the other east, and that's  
13 the whole amount right there for both locations.  
14 Q. Now, you described -- I have in my notes  
15 corrugated materials, office paper, short pieces of  
16 poles that were coated, quart cans of oil and  
17 wires.  
18 Can you think of any other material you  
19 picked up at that Illinois Bell location?  
20 A. Once in a while tires, couple of tires,  
21 four or five tires.  
22 Q. Anything else?  
23 A. No.  
24 Q. Did you see any sort of materials that

909

1 you would expect from a cafeteria operation?  
2 A. If I did, it would have been in the  
3 office papers mixed with corrugated.  
4 Q. Okay. These short pieces of poles that  
5 you found, were these old weathered poles or did  
6 they appear to be new poles?  
7 A. That was old ones.  
8 Q. Okay. When talking about Commonwealth

9 Edison yesterday, you mentioned some dark substance  
10 that was coating the pole.  
11 Was that true at the Illinois Bell  
12 facility also?  
13 A. Yes.  
14 Q. Okay. Do you know what that substance  
15 was?  
16 A. No.  
17 Q. Okay. Are you familiar with creosote?  
18 A. Yes.  
19 Q. Okay. Was that the material that was on  
20 those poles?  
21 A. I don't know.  
22 Q. What is your familiarity with creosote?  
23 A. It has a strong smell.  
24 Q. Identical to what you smelled on the

910

1 utility poles you picked up at Illinois Bell?  
2 A. I don't know.  
3 Q. Okay. Yesterday, for certain of the  
4 people who were questioning you, you gave  
5 percentages of the material that was in the  
6 garbage.  
7 Was that done by volume or by weight or  
8 how were you arriving at those numbers?  
9 A. By volume.  
10 Q. These quart cans of oil, were they empty  
11 or full that you picked up from Illinois Bell?  
12 A. Empty.  
13 Q. Was this a three-day-a-week pickup?  
14 A. Yes.  
15 Q. Okay. If you weren't working this  
16 particular route, who would be the most likely  
17 driver to have the route involving the Buttrick  
18 Street address?  
19 A. It could be either Carl Ash or Bob Sill.  
20 Q. Yesterday you testified on a couple of  
21 occasions of watching the garbage as it was loaded  
22 into your truck and that was the basis on which you  
23 described what was in the garbage.  
24 Do you recall that?

911

1 A. Yes.  
2 Q. Okay. Is this a standard in the  
3 industry, that people in this line of work have a  
4 responsibility and an obligation to observe the  
5 emptying of containers into their garbage truck?  
6 A. Yes.  
7 Q. Okay. If someone new were to join your  
8 company and you were training them, you would say  
9 to watch what material is being placed inside the  
10 truck?  
11 A. Yes.

12 Q. Okay. Why is that a responsibility of  
13 someone in your line of work?  
14 A. You always watch what you're doing.  
15 Q. Okay. Does the nature of the material  
16 that's deposited in your truck, does that, back in  
17 the sixties, have any effect on where you would  
18 deliver or haul the material?  
19 A. Repeat that question again.  
20 Q. Okay. Well, let's start from another  
21 direction.  
22 Were there certain spots in Yeoman Creek  
23 dump that were set aside for certain types of  
24 materials?

912

1 A. No.  
2 Q. Okay. So whether you had liquid refuse  
3 or chemicals or paper, it didn't matter. It all  
4 just went straight to the dump.  
5 A. Yes.  
6 Q. All right. Okay. Let's go to the  
7 Edison Court address. That was all also an  
8 Illinois Bell facility.  
9 A. Yes.  
10 Q. That's the one that Illinois Bell took  
11 over from North Shore Gas?  
12 A. Yes.  
13 Q. All right. About when did that happen?  
14 A. I believe in the mid or late sixties.  
15 Q. What route was that on?  
16 A. Same route, Grand Avenue and Washington.  
17 Q. Okay. Was that a three-day-a-week  
18 pickup also?  
19 A. I believe either twice or three times,  
20 yes.  
21 Q. Okay. I believe this is the one you  
22 drew a map of where you entered the truck into the  
23 building, you could turn around inside and make  
24 pickups.

913

1 A. Yes.  
2 Q. Okay. Was the nature and location of  
3 the pickups the same under Illinois Bell's control  
4 of the building as it was under North Shore Gas?  
5 A. Yes.  
6 Q. Okay. What activities went on at this  
7 facility when Illinois Bell operated it?  
8 A. Like I said, there was office buildings  
9 and there was trucks from Illinois Bell, parts, I  
10 believe, areas with cables and poles and whatever.  
11 Q. Would these be copper cables?  
12 A. I don't know.  
13 Q. Okay. Was the nature of the garbage  
14 nearly identical at the Edison Court as it was --

15 strike that.  
16 Was your garbage collection at Edison  
17 Court identical to the type of garbage you would  
18 collect at the Buttrick facility?  
19 A. It was a little different, yes.  
20 Q. Okay. In what regards?  
21 A. There was no poles at the Edison Court.  
22 Q. Okay.  
23 A. As I recall.  
24 Q. Okay. Did you see any cafeteria-type

914

1 waste in the garbage at Edison Court?  
2 A. Very little.  
3 MR. KILROY: I don't have any other questions.  
4 MR. RANDOLPH: Maybe we can take a short  
5 break. We have been at it about an hour.  
6 (WHEREUPON, a recess was had.)  
7 MR. GREEN: Good morning, Mr. Kirkegaard. My  
8 name is Bryan Green. I represent ABF Freight  
9 Systems.  
10 EXAMINATION  
11 BY MR. GREEN:  
12 Q. I believe on yesterday you indicated  
13 that you personally picked up waste from the ABF  
14 facility, is that correct?  
15 A. Yes.  
16 Q. You also indicated on yesterday, at  
17 least I think that you indicated, that the ABF  
18 facility was located on Central Avenue on the north  
19 side of the street west of Green Bay Road, is that  
20 correct?  
21 A. Yes.  
22 Q. Do you recall the exact address of that  
23 facility?  
24 A. The exact address?

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., )  
Plaintiffs,) VOLUME III  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al.) Judge Leinenweber  
Defendants.) Magistrate Judge Rosemond

October 21, 1993

9:40 a.m.

The deposition of PEDER KIRKEGAARD  
resumed pursuant to adjournment at The Marc Plaza  
Hotel, 509 West Wisconsin Avenue, Milwaukee,  
Wisconsin.



1 Q. I have a couple of other names I have to  
2 ask you about, Mr. Kirkegaard.  
3 Do you recall a company called F.K.  
4 Pattern & Foundry?  
5 A. I don't really recall that name.  
6 Q. Let me direct your attention to Exhibit  
7 3, Page 5. About three-fourths of the way down the  
8 page, there's a notation for F.K. Pattern &  
9 Foundry.  
10 A. Yes, I see it.  
11 Q. Does that refresh your recollection at  
12 all as to whether that company was a customer of  
13 Waukegan Disposal during the 1950s or sixties?  
14 A. It tells me it was a customer at this  
15 time, but I can't --  
16 Q. In '72.  
17 A. Yes.  
18 Q. You have no other recollection other  
19 than it shows up on this list.  
20 A. I don't recall that.  
21 Q. Let me ask you about Illinois Bell  
22 Telephone.  
23 Was that ever during the fifties or  
24 sixties a customer of Waukegan Disposal?

1 A. I don't recall that.  
2 Q. Directing your attention to Page 7 of  
3 Exhibit 3, about a third of the way down the page  
4 there is a notation for Illinois Bell Telephone.  
5 A. Yes.  
6 Q. Other than the fact that that shows them  
7 to be a customer in March 1972, does that refresh  
8 your recollection as to whether they may have been  
9 a customer during the sixties?  
10 A. I believe that we must have received  
11 Illinois Bell when it built its new building on  
12 Grand Avenue.  
13 Q. Do you recall when that was?  
14 A. I don't recall when that was.  
15 Q. Do you recall at some point Illinois  
16 Bell was a customer of D & L?  
17 A. Yes, I do.  
18 Q. Do you recall when that was?  
19 A. That was previous to we got the account,  
20 but I don't remember when we received that account.  
21 Q. Do you recall where D & L would have  
22 hauled waste from Illinois Bell?  
23 A. That would have gone to the Yeoman Creek  
24 Landfill.

1 Q. Do you recall if you obtained that  
2 account during the period of time in which Yeoman  
3 Creek was operating?

4 A. I believe we did, yes.  
5 Q. Did you pick up that account on occasion  
6 yourself?  
7 A. Yes.  
8 Q. Could you describe, first of all, what  
9 type of facility was located at Grand Avenue?  
10 A. That was a big office building.  
11 Q. How often did you pick up waste there?  
12 A. I cannot recall that.  
13 Q. Do you recall the type of containers?  
14 A. I believe it was one-yard containers.  
15 Q. One of them or how many?  
16 A. I don't remember if there was one or  
17 two.  
18 Q. Do you remember the nature of the waste?  
19 A. I remember there was a lot of office  
20 waste.  
21 Q. Anything else besides office waste that  
22 you recall?  
23 A. I don't recall that.  
24 Q. Would that office waste, at least prior

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1 to May of 1969, have been delivered to Yeoman Creek  
2 by Waukegan Disposal?  
3 A. Yes.  
4 Q. Do you recall a company called Karry  
5 Brothers Garage or Transmission? That's  
6 K-a-r-r-y.  
7 A. Yes, on Belvidere Street.  
8 Q. Do you recall at some point in time Mr.  
9 Sisson hauled their waste?  
10 A. Yes, I do.  
11 Q. How do you know that?  
12 A. Well, we basically knew what account  
13 each other was hauling.  
14 Q. At some point in time did Waukegan  
15 Disposal take that account from Mr. Sisson, if you  
16 recall?  
17 A. I can't really recall. It's very  
18 possible.  
19 Q. Do you ever recall making a pickup  
20 yourself at Karry Brothers Transmission?  
21 A. I don't recall that.  
22 Q. Directing your attention to Exhibit 3,  
23 Page 7, there's a notation about six lines from the  
24 bottom for Karry Brothers Garage.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME IV  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

10  
11  
12                   October 22, 1993  
13                   8:30 a.m.

14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
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1 (WHEREUPON, certain documents were  
2 marked P. Kirkegaard Deposition  
3 Exhibits No. 45 through 58, for  
4 identification, as of 10/22/93.)

5 MR. DAHLQUIST: Good morning, Mr. Kirkegaard.  
6 I'm Paul Dahlquist, and I'm here on  
7 behalf of Illinois Bell Telephone Company. You  
8 answered about eight or nine questions concerning  
9 them yesterday, and I'd like to follow up a little  
10 bit, if I may.

11 EXAMINATION

12 BY MR. DAHLQUIST:

13 Q. Was it your testimony yesterday that  
14 Illinois Bell Telephone was a customer of D & L, by  
15 and large, in the sixties?

16 A. Yes.

17 Q. As a customer of D & L, you wouldn't  
18 know what was picked up and what was dumped when  
19 Illinois Bell was a customer, isn't that correct?

20 A. That's correct.

21 Q. I believe yesterday you testified that  
22 you thought that Illinois Bell may have become a  
23 Waukegan Disposal customer when they moved to the  
24 Grand Avenue facility.

1 A. Yes, I believe that they did.

2 Q. Do you have a recollection of that or  
3 not?

4 A. I do have a recollection of that.

5 Q. Okay. But you testified that you  
6 couldn't recall how often trash was picked up  
7 there, is that correct?

8 A. That's correct.

9 Q. You testified that you believe there was  
10 one-yard containers, but you couldn't recall for  
11 certain.

12 A. That's also correct.

13 Q. You testified that you didn't remember  
14 the number of containers that were there, correct?

15 A. That's correct.

16 Q. Do you know how frequently you picked up  
17 there?

18 A. No.

19 Q. Do you know the names of any Illinois  
20 Bell Telephone Company employees?

21 A. No, I don't.

22 Q. Do you know how Illinois Bell Telephone  
23 became a customer of Waukegan Disposal Service?

24 A. I don't recall.

1 Q. Is it possible that Illinois Bell

2 Telephone Company became a customer of Waukegan  
3 Disposal Service after Yeoman Creek was closed?  
4 A. I can't remember.  
5 Q. So that's possible.  
6 A. Could be possible.  
7 Q. Now, you also testified that you thought  
8 Waukegan Disposal Service picked up office waste  
9 from Illinois Bell Telephone Company.  
10 A. Yes.  
11 Q. Is that based upon your recollection of  
12 what the facility was at Grand Avenue?  
13 A. Yes.  
14 Q. That's not based upon your recollection  
15 of picking up the trash there, correct?  
16 A. No.  
17 Q. That is correct?  
18 A. That's correct.  
19 Q. So you have no recollection of what was  
20 in the trash at Illinois Bell, correct?  
21 A. That's correct.  
22 MR. DAHLQUIST: I have nothing further.  
23 MR. SHAY: My name is Dave Shay. I represent  
24 Mobil Corporation. I will admit I'm not going to

International Harvester  
Truck Dealership

## SUMMARY FOR INTERNATIONAL HARVESTER TRUCK DEALERSHIP

International Harvester Truck Dealership ("IH") operated a truck sales and maintenance facility called Waukegan Truck Sales on the corner of Belvedere and Lewis Streets in Waukegan during the relevant time period. (Ole Kirkegaard 689)

During this period, IH contracted at various times with either Waukegan Disposal or John Sisson for the disposal of its waste. (Peder Kirkegaard 670-71; Ole Kirkegaard 690) All of the waste picked up by John Sisson during the relevant time period was delivered to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 771-772)

While a customer of Waukegan Disposal, IH arranged for the pickup of its waste twice per week. (Ole Kirkegaard 690) The dealership used two to four 55-gallon drums and five to six 30-gallon garbage cans to dispose of its waste. (Ole Kirkegaard 691) During the time Peder Kirkegaard hauled waste from this facility, the dealership used approximately ten to twelve 30-gallon garbage cans. (Peder Kirkegaard 671)

The dealership's waste included tires, oil cans, grease, office waste, and numerous truck parts including wiring, batteries, brake shoes, and mufflers. (Ole Kirkegaard 691-92; Peder Kirkegaard 672) The dealership also disposed of empty one gallon paint cans on occasion. (Ole Kirkegaard 691)

In summary, IH arranged for the disposal of at least a total of 135 cubic yards of waste per year at the Site from approximately 1962 to 1969. (Ole Kirkegaard 690-692; Peder Kirkegaard 671-672)

International Harvester  
Truck Dealership

—

Deposition Exerpts



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 contained in those 55-gallon drums?  
2 A. They had towelings and they had some oil  
3 cans, quart oil cans, and some office paper and  
4 some corrugated.  
5 Q. Was there any liquid at the bottom of  
6 the drums?  
7 A. A little bit.  
8 Q. Okay. What type of liquid was it, if  
9 you could tell?  
10 A. Oily.  
11 Q. Where did their waste go?  
12 A. Yeoman Creek.  
13 Q. Do you remember there being an  
14 International Harvester truck dealership in the  
15 Waukegan area in that period of time?  
16 A. Yes.  
17 Q. Where was that located?  
18 A. That was on the corner of Belvidere  
19 Street and Lewis.  
20 Q. Which corner?  
21 A. Southeast corner.  
22 Q. Who handled their waste?  
23 A. I'm sorry. Northeast corner.  
24 Q. Who handled their waste?

1 A. Waukegan Disposal Service.  
2 Q. Through what period of time?  
3 A. In the sixties.  
4 Q. Throughout the whole sixties or some  
5 portion of the sixties?  
6 A. Mid-sixties to late sixties, yes.  
7 Q. What route was that on?  
8 A. On the Belvidere route.  
9 Q. How many times a week did you pick up  
10 there?  
11 A. I believe that was either twice or three  
12 times a week.  
13 Q. Could you describe the area of the  
14 facility where you picked up waste?  
15 A. Yes. On the north side of the building,  
16 they had an overhead door and some cans was -- they  
17 had 55-gallon and 30-gallon cans. Some cans was  
18 inside and some were sitting outside.  
19 Q. How did you make arrangements to pick up  
20 the inside cans?  
21 A. When we got there with the truck, some  
22 of the workers in there came out with 30-gallons,  
23 some of the cans.  
24 Q. Do you recall the names of any of those

1 individuals you dealt with there?  
2 A. No.

3 Q. How many 55-gallon drums did they have?  
4 A. Between two and four.  
5 Q. And how many 30-gallon containers would  
6 be brought out to the truck on a typical pickup?  
7 A. Five or six.  
8 Q. Do you recall what was in the  
9 containers?  
10 A. They had some truck parts, pieces of  
11 steel and they had some tires. They had oil cans,  
12 floor sweepings, that type of thing, some  
13 corrugated.  
14 Q. Do you recall any -- you say "truck  
15 parts."  
16 Within that definition, do you recall  
17 any brake drums or brake parts?  
18 A. Yes.  
19 Q. Do you recall any paint cans or evidence  
20 that they had done painting included in their  
21 waste?  
22 A. Once in a while there was some gallon  
23 empty paint cans.  
24 Q. Empty gallon paint cans?

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1 A. Yes.  
2 Q. Was there any liquid at the bottom of  
3 their containers?  
4 A. Yes.  
5 Q. What did it look like?  
6 A. Greasy, oily type of thing.  
7 Q. What type of business was operated out  
8 of that facility by IH?  
9 A. They were selling trucks and did repairs  
10 on trucks, too.  
11 Q. Where did that waste go?  
12 A. It went to Yeoman Creek.  
13 Q. Do you recall a company called Karry  
14 Brothers Transmission?  
15 A. Yes.  
16 Q. Where was that located?  
17 A. Half a block east of the one we talked  
18 about.  
19 Q. Half a block east of the International  
20 dealership?  
21 A. Yes.  
22 Q. On what street?  
23 A. Belvidere Street.  
24 Q. Who handled their waste?

1           A.       Corrugated. A lot of corrugated, office  
2 papers, and they had also some paint cans.  
3           Q.       Paint cans full, empty or in between?  
4           A.       Empty ones.  
5           Q.       Empty paint cans?  
6           A.       Yes.  
7           Q.       With liquid in the bottom or dry?  
8           A.       Some of it was pretty moist.  
9           Q.       Okay. How often were paint cans in the  
10 waste stream?  
11          A.       I would say not very often. Maybe once  
12 a week.  
13          Q.       Anything else you recall about the  
14 retail operation waste?  
15          A.       No.  
16          Q.       I have also asked you questions about  
17 dealerships, including Reed Randle and  
18 International Harvester dealership, and you  
19 described the waste stream.  
20                 I'd ask you was the waste stream from  
21 those dealerships in any way similar to or  
22 different from the waste stream you have described  
23 from the service stations and from the two  
24 automotive centers of K-Mart and Montgomery Ward.

1           A.       Pretty similar to it because the reason  
2 is they did work on automobiles and so I would say  
3 yes.  
4           Q.       Okay. I have already asked you  
5 questions about some poles, segments of utility  
6 poles that you picked up from Illinois Bell and  
7 Commonwealth Edison.  
8                 Do you recall that?  
9           A.       Yes.  
10          Q.       I asked you if they were coated.  
11                 Can you tell us what colors, if you  
12 recall, the coating was?  
13          A.       They were cut in pieces three to four  
14 feet, and they were coated with some type of a coat  
15 of dark -- I don't recall the name on it.  
16          Q.       Did it have an odor?  
17          A.       Yes.  
18          Q.       How did it smell?  
19          A.       Strong.  
20          Q.       Just to clarify, I think you testified  
21 about certain transmission fluids that were in the  
22 waste stream at Karry Brothers Transmission.  
23                 Do you recall that?  
24          A.       Yes.

1 Q. Who owned Sisson Disposal?  
2 A. John Sisson.  
3 Q. By the way, let me ask you this: Is Mr.  
4 Jensen still around?  
5 A. No. He passed away years ago.  
6 Q. Is Mr. Sisson still around?  
7 A. No.  
8 Q. How many trucks did Mr. Sisson have?  
9 A. One.  
10 Q. What color was it?  
11 A. The cab was red and the chassis was  
12 white.  
13 Q. What kind of truck was it?  
14 A. International.  
15 Q. Was it a rear-loader or what type of  
16 truck?  
17 A. It was a rear-loader leach, 17 cubic  
18 yard.  
19 Q. What type of trucks were the Jensen  
20 trucks?  
21 A. It was a leach box, but I don't know  
22 exactly who manufactured the truck itself.  
23 Q. Now, what kind of accounts did Mr.  
24 Sisson have?

1 A. He had a mixture of retail stores and  
2 offices and some residential accounts.  
3 Q. What area?  
4 A. In Waukegan.  
5 Q. Did you see his trucks at the Yeoman  
6 Creek Landfill?  
7 A. Yes.  
8 Q. On how frequent a basis?  
9 A. Two or three times a week.  
10 Q. Do you know what happened to Sisson  
11 Disposal?  
12 A. Some other company inherited that.  
13 Q. What other company was that?  
14 A. I believe T & K.  
15 Q. Do you know when T-K took over Sisson  
16 Disposal?  
17 A. No.  
18 Q. Do you know if it was before or after  
19 Yeoman Creek closed?  
20 A. I believe after.  
21 Q. Okay. Did you see T-K Disposal trucks  
22 at Yeoman Creek Landfill?  
23 A. Yes.  
24 Q. What period of time?

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL   )  
5 DISTRICT NO. 60, et al.,    )  
6                   Plaintiffs,) VOLUME III  
7                   v.            ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond  
10  
11  
12                   October 21, 1993  
13                   9:40 a.m.  
14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23  
24

1 1960s through March 1972?  
2 A. I don't.  
3 Q. Do you recall ever losing that account  
4 at any point during that period?  
5 A. I don't recall that.  
6 Q. The waste picked up there would have  
7 gone to Yeoman Creek.  
8 A. Yes.  
9 Q. Do you recall an International Harvester  
10 truck dealership in Waukegan?  
11 A. Yes.  
12 Q. That was located on Belvidere Street.  
13 A. Yes.  
14 Q. Do you recall whether that was a  
15 customer of Waukegan Disposal?  
16 A. Yes, it was.  
17 Q. During what period of time?  
18 A. From '59 till we lost it to John Sisson.  
19 Q. When would that have been?  
20 A. That would have been when we stopped  
21 buying International trucks.  
22 Q. Do you recall when that would have been,  
23 what year?  
24 A. I can't quite remember that.

1 Q. Do you recall whether it was in the --  
2 was it during the 1960s?  
3 A. Yes.  
4 Q. Do you recall whether it was in the  
5 early, mid or late sixties?  
6 A. I would say in the early sixties to  
7 mid-sixties.  
8 Q. During the time that they were a  
9 customer of yours -- by the way, did that  
10 dealership have any other name besides  
11 International Harvester dealership?  
12 A. Yes. It was called Waukegan Truck  
13 Sales.  
14 Q. Do you recall who the owner was?  
15 A. Yes. I don't remember his last name. I  
16 remember his first name, Barney.  
17 Q. Barney?  
18 A. Yes.  
19 Q. Do you know if he's still around?  
20 A. I don't.  
21 Q. How often did you make pickups at  
22 International Harvester?  
23 A. I believe twice a week.  
24 Q. Do you recall the type of containers?

1 A. There were garbage cans sitting all  
2 around the benches where the mechanics worked.

3 Q. Were those 30 gallon garbage cans?  
4 A. 30 gallon garbage cans.  
5 Q. Do you recall approximately how many  
6 would have been picked up for each pickup?  
7 A. I believe up to 10 or 12.  
8 Q. During the time from 1959 till the time  
9 you stopped buying International Harvester trucks,  
10 where did the waste that you picked up from that  
11 dealership go?  
12 A. That went to the Yeoman Creek Landfill.  
13 Q. Do you recall the nature of the waste  
14 that you picked up at that truck dealership?  
15 A. Yes. That would be a mixture of very --  
16 it was very heavy material. It could be oil, a lot  
17 of oil in the cans and a lot of grease and parts  
18 from trucks and just some very, very bulky, very  
19 heavy material.  
20 Q. Metal parts.  
21 A. Metal parts.  
22 Q. Do you remember batteries?  
23 A. Batteries.  
24 Q. Brake shoes, that sort of thing.

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1 A. Yes.  
2 Q. Mufflers.  
3 A. Mufflers.  
4 Q. Would there also be papers and office  
5 waste in those trash cans?  
6 A. Yes. From the office part, there was a  
7 special two cans there.  
8 Q. Do you know if that dealership was owned  
9 by Barney or whether it was owned by International  
10 Harvester?  
11 A. I believe it was owned by Barney.  
12 Q. Do you recall a company called  
13 Interstate Electric Supply as a customer of  
14 Waukegan Disposal?  
15 A. Yes, I do.  
16 Q. Located on Greenwood Avenue.  
17 A. Yes.  
18 Q. Do you recall when that company became a  
19 customer?  
20 A. I believe this was an account we  
21 received from Peter Fargaard.  
22 Q. So it would have been in the  
23 mid-sixties.  
24 A. Mid-sixties.



Interstate Electric Supply Co

## SUMMARY FOR INTERSTATE ELECTRIC SUPPLY COMPANY

During the relevant time period, Interstate Electric Supply Company ("Interstate Electric") was in the business of selling electrical equipment, wiring supplies and construction materials, including electrical fittings, wire and cable, lighting fixtures and transformers. It operated a sales outlet at 1020 Greenwood Avenue in Waukegan.

Waukegan Disposal Service hauled Interstate Electric's waste throughout the 1960s and early 1970s. (Ole Kirkegaard 729; Peder Kirkegaard 673-74). Interstate Electric disposed of its waste in three or four 55-gallon steel drums. (Ole Kirkegaard 730).

Interstate Electric's waste consisted of corrugated cardboard, office waste, fluorescent bulbs and pieces of copper and other metal electrical wire. (Ole Kirkegaard 730; Peder Kirkegaard 675). The waste also included small metal electric motor parts. (Ole Kirkegaard 731). All of this waste was taken to the Edwards Field/Yeoman Creek landfills ("The Site") for disposal. (Ole Kirkegaard 731; Peder Kirkegaard 677).

In summary, Interstate Electric arranged for the disposal of at least a total of 85 cubic yards of waste per year at the Site from approximately 1964 to 1969. (Ole Kirkegaard 729-731; Peder Kirkegaard 673-676)

Interstate Electric Supply Co

-  
Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 OLE KIRKEGAARD,  
2 called as a witness herein, having been previously  
3 duly sworn and having testified, was examined and  
4 testified further as follows:

5 EXAMINATION (Resumed)

6 BY MR. RANDOLPH:

7 Q. Mr. Kirkegaard, do you remember a  
8 company called Interstate Electric?

9 A. Yes.

10 Q. Do you recall where they were located in  
11 the 1960s?

12 A. On Greenwood Avenue.

13 Q. Close to what other street?

14 A. Close to Linden Street -- Linden Avenue.

15 Q. What type of business were they engaged  
16 in?

17 A. They were selling electrical material.

18 Q. Do you know who hauled their waste?

19 A. Waukegan Disposal Service.

20 Q. During what time period?

21 A. In the sixties.

22 Q. What route was that on?

23 A. The north route.

24 Q. Could you describe the area in which you

1 picked up waste at that location?

2 A. The building was on the north side of  
3 Greenwood, and we picked up on the east side of the  
4 building through an alley. They had a door on the  
5 northeast corner of the building, overhead door,  
6 which right outside there they had three or four 55  
7 gallon steel drums.

8 Q. Did you have to go inside the building  
9 to pick up that waste?

10 A. When we picked up those cans, they also  
11 had material inside.

12 Q. That they would bring out to you?

13 A. Yes.

14 Q. How often did you pick up their waste?

15 A. I believe it was twice a week.

16 Q. Could you describe for us the waste that  
17 you picked up at Interstate Electric?

18 A. A lot of corrugated and office papers,  
19 and they had wires, some wires and that type of  
20 thing.

21 Q. Do you recall what type of wire it was?

22 A. Pieces of electrical wires.

23 Q. Do you recall the kind of metal?

24 A. There was copper wires and metal wires

1 and some of each.

2 Q. Do you recall any kind of motor or small

3 electrical motor parts that you picked up there?  
4 A. Yes.  
5 Q. How would you describe those?  
6 A. Pieces of motors and stuff was in those  
7 cans, too.  
8 Q. Metal?  
9 A. Metal cans.  
10 Q. Okay. Was there any liquid waste in  
11 that waste that you recall?  
12 A. No.  
13 Q. Who did you deal with at Interstate  
14 Electric?  
15 A. The guy's name was Jerry.  
16 Q. Do you recall his last name?  
17 A. No.  
18 Q. Where did their waste go?  
19 A. Yeoman Creek.  
20 Q. Do you recall a company called Lake  
21 County Press?  
22 A. Yes.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

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October 21, 1993  
9:40 a.m.

The deposition of PEDER KIRKEGAARD  
resumed pursuant to adjournment at The Marc Plaza  
Hotel, 509 West Wisconsin Avenue, Milwaukee,  
Wisconsin.

1 A. Yes.  
2 Q. Mufflers.  
3 A. Mufflers.  
4 Q. Would there also be papers and office  
5 waste in those trash cans?  
6 A. Yes. From the office part, there was a  
7 special two cans there.  
8 Q. Do you know if that dealership was owned  
9 by Barney or whether it was owned by International  
10 Harvester?  
11 A. I believe it was owned by Barney.  
12 Q. Do you recall a company called  
13 Interstate Electric Supply as a customer of  
14 Waukegan Disposal?  
15 A. Yes, I do.  
16 Q. Located on Greenwood Avenue.  
17 A. Yes.  
18 Q. Do you recall when that company became a  
19 customer?  
20 A. I believe this was an account we  
21 received from Peter Fargaard.  
22 Q. So it would have been in the  
23 mid-sixties.  
24 A. Mid-sixties.

1 Q. Do you recall whether it remained a  
2 customer throughout the sixties?  
3 A. I believe it did.  
4 Q. Who did you deal with at Interstate  
5 Electric Supply?  
6 A. I do not recall that.  
7 Q. Did you personally pick up at that  
8 location?  
9 A. I have picked up there, yes.  
10 Q. What type of containers were used?  
11 A. I can't really remember.  
12 Q. Once you picked up that account, did it  
13 remain a customer of Waukegan Disposal through the  
14 time that Waukegan sold out to BFI to your own  
15 knowledge?  
16 A. I think it did.  
17 Q. Okay. Directing your attention to  
18 Exhibit 3, Page 15, there's a notation for  
19 Interstate Electric about two-thirds of the way  
20 down the page.  
21 A. Yes.  
22 Q. Does that indicate that that company was  
23 still a customer as of March 1972?  
24 A. Yes.

1 Q. Was it continuously a customer from the



2 acquisition of the Fargaard accounts through March  
3 1972?  
4 A. To the best of my knowledge, yes.  
5 Q. What do you remember about the waste  
6 from Interstate Electric Supply?  
7 A. I remember quite a bit of corrugated  
8 boxes, and there could be some wiring and some  
9 bulbs, fluorescent bulbs, and a lot of different  
10 things.  
11 Q. Were the fluorescent bulbs intact or  
12 were they broken or both?  
13 A. They were not broken. They were sitting  
14 in boxes, and we would throw the boxes into the  
15 hopper as such.  
16 Q. You said "wire." Was that  
17 copper-colored wire or --  
18 A. Yes. It could be pieces of wire and  
19 such a thing.  
20 Q. Do you recall what color the wire was,  
21 the actual metal part of the wire?  
22 A. I do not recall that.  
23 Q. How often did you pick up at Interstate  
24 Electric?

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1 A. I believe it was twice a week.  
2 Q. Do you recall the volume you picked up  
3 at that location?  
4 A. Yes. It could vary quite a bit from one  
5 time to another, but at times it was quite a bit of  
6 material there.  
7 Q. What type of containers again?  
8 A. I cannot recall what type of container.  
9 Q. You said it could have been quite a  
10 bit.  
11 How is it you're able to recall that it  
12 could have been quite a bit of material?  
13 A. Well, I would say if they had received a  
14 big shipment in, there would be a lot of boxes from  
15 unpacking material.  
16 Q. A lot of corrugated.  
17 A. Yes.  
18 Q. Would they bring materials out to the  
19 truck either on forklifts or some other way in  
20 addition to what was in containers?  
21 A. No. As I recall it, they would open a  
22 big service door, overhead door, and we would  
23 receive it from that door.  
24 Q. Was it on a dock?

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1 A. It was on a -- no. It was on ground  
2 level, but it was right inside that door.  
3 Q. That waste from Interstate Electric went  
4 to Yeoman Creek.

5           A.     Yes.  
6           Q.     Do you remember doing business with  
7 Kresge or K-Mart?  
8           A.     Yes, I do.  
9           Q.     Let me first ask you if you remember  
10 doing business with a Kresge store in downtown  
11 Waukegan at any time.  
12          A.     I don't recall that.  
13          Q.     How about a K-Mart store on Belvidere?  
14          A.     Yes.  
15          Q.     Do you recall when that K-Mart became a  
16 customer of Waukegan Disposal?  
17          A.     It became a customer when the store was  
18 built.  
19          Q.     Do you recall approximately when that  
20 was?  
21          A.     It was in the mid to late sixties I  
22 would remember.  
23          Q.     Do you recall dealing with any specific  
24 individual?

Jensen Disposal Inc

### SUMMARY FOR JENSEN DISPOSAL, INC.

Jensen Disposal, Inc. ("Jensen") is a waste hauling operation located in Gurnee, Illinois. Initially, Jensen was owned and operated by Rudy Jensen. Upon his death in the early 1960s, Jensen was acquired by John Obenhauf. (Peder Kirkegaard 177, 512, 529)

A number of witnesses have confirmed that Jensen regularly used the Edwards Field/Yeoman Creek landfills ("The Site") throughout the relevant time period. Vernon Ladewig and Carl Bech, drivers for Waukegan Disposal during the 1960s, and Henry Tewes, a principal in TK City Disposal which managed the landfill in early 1969 all testified that Jensen regularly hauled waste to the landfill. (Ladewig affidavit at ¶ 33; Bech 29, 44; Tewes 45) Their recollections were corroborated by Ben Essenberg and Fred Larsen, each of whom indicated in interviews that Jensen regularly used the landfill.

Both Ole and Peder Kirkegaard also recalled that Jensen's trucks routinely delivered waste to the Site throughout the relevant time period. (Ole Kirkegaard 117; Peder Kirkegaard 163) Ole Kirkegaard recalled seeing Jensen trucks at the Site at least once a week, while Peder Kirkegaard recalled seeing Jensen trucks at the landfill twice a week. (Ole Kirkegaard 769; Peder Kirkegaard 511)

Throughout the relevant time period, Jensen operated two 17-yard Leach packer trucks. Prior to the acquisition by John Obenhauf, Jensen's trucks were painted red and white. When Mr. Obenhauf acquired the Jensen trucks, he repainted them light blue to match the color of the trucks used by several other waste hauling operations in Northeastern Illinois owned by Mr. Obenhauf. (Ole Kirkegaard 769; Peder Kirkegaard 512-515)

Jensen's customers were primarily located in the Gurnee area. (Peder Kirkegaard 520) In fact, Jensen was the only waste hauler active in the Gurnee area during most of the 1960s. (Peder Kirkegaard 1021) Jensen's accounts in the Gurnee area included both commercial and residential customers. (Peder Kirkegaard 167, 520; Ole Kirkegaard 768) Peder Kirkegaard explained that it made economic sense for Jensen to haul its waste to the Site since this was the closest landfill to Gurnee. (Peder Kirkegaard 1025-1027)

The following issues should be addressed during Allocation Counsel's investigation:

1. Determine the list of all accounts serviced by Jensen during the relevant time period.

2. Determine the nature of waste picked up by Jensen during the relevant time period from commercial and industrial accounts.

3. Determine whether Jensen used any other disposal facilities during the relevant time period.

4. Identify and interview all drivers of Jensen during the relevant time period.

5. Determine the specifics of the transaction by which John Obenhaus acquired Jensen, including the date of the purchase, the nature of the purchase, and the persons responsible for the management of the operation before and after the purchase.

Jensen Disposal Inc  
Deposition Receipts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. I  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

The deposition of OLE KIRKEGAARD, called  
as a witness for examination, taken pursuant to the  
Federal Rules of Civil Procedure of the United  
States District Courts pertaining to the taking of  
depositions, taken before MELANIE JAKUS, a Notary  
Public within and for the County of DuPage, State  
of Illinois, and a Certified Shorthand Reporter of  
said state, at Suite 7200, 233 South Wacker Drive,  
Chicago, Illinois, on the 28th day of July, A.D.  
1993, at 9:30 a.m.

1 from time to time to Jim Vanderveld.  
2 Was it Jim Vanderveld that you said you  
3 had spoken to?  
4 A. Yes.  
5 Q. Were those discussions business  
6 discussions? Did they have to do with the business  
7 itself?  
8 A. No.  
9 Q. Do you recall the names of any drivers  
10 from National Disposal?  
11 A. No.  
12 Q. When you were at the landfill itself  
13 like unloading a truck, would you have occasion to  
14 talk to any other drivers that were at the  
15 landfill?  
16 A. Yes.  
17 Q. Would you have conversations with other  
18 drivers every time you were there?  
19 A. No.  
20 Q. In addition to National and Waukegan  
21 Disposal, did you know of other people, other  
22 companies that hauled to the landfill?  
23 A. Yes.  
24 Q. Who would those be, do you know? Can

1 you name them today?  
2 A. Yes. There was another company they  
3 called D and L.  
4 Q. You have got to speak louder.  
5 A. D and L Disposal.  
6 Q. Okay. What did D and L do? What kind  
7 of accounts did they have?  
8 A. They had commercial and industrial and  
9 residential accounts as well.  
10 Q. How big of an operation was that, do you  
11 know?  
12 A. About three trucks.  
13 Q. Do you remember the names of any of the  
14 people associated with D and L?  
15 A. Yes.  
16 Q. Who would those be?  
17 A. Dutton, Dan Dutton and Larsen.  
18 Q. Do you know the first name?  
19 A. Fred Larsen.  
20 Q. Any other hauling companies?  
21 A. Yes. There was another one they called  
22 Willy Larsen Disposal.  
23 Q. Any others?  
24 A. Jensen Disposal.

1 Q. Any other names?  
2 A. Obenauf.



3 Q. Obenauf?  
4 A. Obenauf.  
5 Q. And how about Century?  
6 A. Century Disposal.  
7 Q. How big of an operation is that?  
8 A. I don't know.  
9 Q. Do you know anything about that  
10 operation?  
11 A. No.  
12 Q. Do you know the names of any of the  
13 drivers?  
14 A. No.  
15 Q. You said earlier that at some point you  
16 didn't drive a regular route any more and that you  
17 were only doing -- I think it was call-ins you  
18 said.  
19 MR. RANDOLPH: And substitutions on routes for  
20 other drivers.  
21 BY MR. RODRIGUEZ:  
22 Q. When was that?  
23 A. Late sixties.  
24 MR. RYAN: I'm sorry. I didn't hear that

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL ) V. II  
DISTRICT NO. 60, et al., )  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

July 29, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 7200, 233 South  
Wacker Drive, Chicago, Illinois.

1 Q. And when you say "flat bed," that's  
2 different than a roll-off.  
3 A. Yes.  
4 Q. Do you know how many years that Willy  
5 Larsen was in business?  
6 A. I don't know.  
7 Q. You mentioned Jensen Disposal Company.  
8 In 1959, was that company dropping loads  
9 at the Edwards Field Landfill?  
10 A. Yes.  
11 Q. How many trucks did Jensen have in 1959?  
12 A. One or two.  
13 Q. Was Jensen in existence in 1969?  
14 A. I don't know.  
15 Q. How far can you trace Jensen Disposal  
16 from 1959?  
17 A. In the sixties sometime, they sold it  
18 to -- Obenauf Disposal bought him out. I don't  
19 know when.  
20 Q. It was in the sixties though, the sale?  
21 A. I don't know for sure.  
22 Q. Do you know how many trucks Jensen had  
23 at the time it sold to Obenauf?  
24 A. I don't know.

1 Q. Was Jensen a smaller, comparable or  
2 larger operation compared to Waukegan Disposal?  
3 MR. RANDOLPH: What year?  
4 BY MR. WINTER:  
5 Q. During the time period that you knew  
6 that Jensen Disposal existed as a separate entity.  
7 A. Smaller.  
8 Q. Did Obenauf exist in 1959?  
9 A. Yes.  
10 Q. How many trucks did it have?  
11 A. 15, 20.  
12 Q. Do you know whether those trucks were  
13 using Edwards Field Landfill as its primary  
14 destination for its loads in 1959?  
15 A. Very seldom I saw a truck in there.  
16 Q. So although they had 15 or 20 trucks,  
17 very few of them went to Edwards Landfill.  
18 A. Yes.  
19 Q. Did that change between 1959 and 1969?  
20 A. No.  
21 Q. So all through the ten-year period of  
22 time between the two landfills, how often would you  
23 see an Obenauf Disposal truck -- or what is your  
24 understanding of how often Obenauf used the Edwards

1 Field or Yeoman Creek Landfill?  
2 A. Maybe once a week.  
3 Q. The Century Disposal --  
4 A. I'm sorry. Can I change that?  
5 Q. Sure.  
6 A. I saw him once a week at the landfill.  
7 Q. I take it you were there often at the  
8 landfill.  
9 A. Right.  
10 Q. Was there anybody that you know of that  
11 made more stops at the Edwards Field and Yeoman  
12 Creek Landfill during that period of time?  
13 MR. RANDOLPH: Than Waukegan Disposal?  
14 MR. WINTER: Yes.  
15 BY THE WITNESS:  
16 A. I don't know.  
17 BY MR. WINTER:  
18 Q. Century Disposal Company. Did that  
19 exist in 1959?  
20 A. Yes.  
21 Q. How many trucks did it have?  
22 A. I don't know.  
23 Q. Were they in existence in 1969?  
24 A. I don't know.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 Q. Do you recall what color their trucks  
2 were?  
3 A. Yes.  
4 Q. What color?  
5 A. Yellow.  
6 Q. Do you recall a company named Jensen  
7 Disposal?  
8 A. Yes.  
9 Q. Who was the owner of Jensen Disposal?  
10 A. In the early sixties, Jensen Disposal  
11 was owned by Mr. Jensen himself.  
12 Q. How many trucks did he have?  
13 A. Either one or two.  
14 Q. What type of hauling business was he  
15 engaged in at that time?  
16 A. He was in mostly residential.  
17 Q. In what geographic area?  
18 A. Gurnee area.  
19 Q. How far is Gurnee from the Yeoman Creek  
20 Landfill?  
21 A. I would say about five miles.  
22 Q. Do you know where Mr. Jensen hauled his  
23 waste to in the early 1960s?  
24 A. Yes.

1 Q. Where was that?  
2 A. Yeoman Creek.  
3 Q. How often would you see his trucks  
4 there?  
5 A. Maybe like once a week.  
6 Q. What color were his trucks?  
7 A. Blue, light blue.  
8 Q. Now, you testified --  
9 A. And I --  
10 Q. Go ahead. I'm sorry. Go ahead.  
11 A. I believe earlier one of the trucks, I  
12 believe, was white in the early sixties.  
13 Q. Okay. You testified that Jensen  
14 Disposal was initially owned by Mr. Jensen.  
15 Did ownership change hands, to your  
16 knowledge?  
17 A. Yes.  
18 Q. When was that?  
19 A. Mr. Jensen sold out his business to  
20 Obenauf Disposal.  
21 Q. Do you have any recollection as to when  
22 that was?  
23 A. I believe in the mid-sixties.  
24 Q. After he sold his business to Obenauf

1 Disposal, did you see Jensen Disposal trucks at the  
2 Yeoman Creek site?

3 A. No.  
4 Q. Did you ever see Obenauf Disposal trucks  
5 at the Yeoman Creek site?  
6 A. Yes.  
7 Q. How often?  
8 A. Once or twice a month.  
9 Q. Do you know where Obenauf Disposal was  
10 based?  
11 A. Yes.  
12 Q. Where was that?  
13 A. Wauconda.  
14 Q. Do you ever recall seeing Mundelein  
15 Disposal trucks at Yeoman Creek Landfill?  
16 A. No.  
17 Q. During what period of time was it that  
18 you saw on a once-a-month basis Obenauf trucks at  
19 the Yeoman Creek site?  
20 A. In the late sixties.  
21 Q. You have mentioned in your testimony  
22 Sisson Disposal.  
23 Do you recall that?  
24 A. Yes.

1 Q. Who owned Sisson Disposal?  
2 A. John Sisson.  
3 Q. By the way, let me ask you this: Is Mr.  
4 Jensen still around?  
5 A. No. He passed away years ago.  
6 Q. Is Mr. Sisson still around?  
7 A. No.  
8 Q. How many trucks did Mr. Sisson have?  
9 A. One.  
10 Q. What color was it?  
11 A. The cab was red and the chassis was  
12 white.  
13 Q. What kind of truck was it?  
14 A. International.  
15 Q. Was it a rear-loader or what type of  
16 truck?  
17 A. It was a rear-loader leach, 17 cubic  
18 yard.  
19 Q. What type of trucks were the Jensen  
20 trucks?  
21 A. It was a leach box, but I don't know  
22 exactly who manufactured the truck itself.  
23 Q. Now, what kind of accounts did Mr.  
24 Sisson have?



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. V  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 18, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 Q. Where would you take the trash that you  
2 were picking up from Victory?  
3 A. Yeoman Creek Landfill.  
4 Q. Did you ever take anything to Edwards  
5 Field?  
6 A. I don't believe so.  
7 MR. CAREY: Okay. I think that's all I have  
8 got for now.  
9 Thank you, Mr. Kirkegaard.  
10 MR. STRUBBE: Mr. Kirkegaard, my name is Joe  
11 Strubbe. I represent Jensen Disposal,  
12 Incorporated. I know you have been at this a long  
13 time so I'll try to be brief.  
14 EXAMINATION  
15 BY MR. STRUBBE:  
16 Q. As I recall some of your earlier  
17 testimony, you stated that you thought you saw  
18 Jensen Disposal trucks at the Yeoman Creek Landfill  
19 upon occasion, is that correct?  
20 A. Yes.  
21 Q. Did you also see Jensen Disposal trucks  
22 at the Edwards Field site?  
23 A. Yes.  
24 Q. If I recall correctly, you stated that

1 you saw Jensen Disposal trucks at Yeoman Creek in  
2 the early sixties, is that right?  
3 A. Yes.  
4 Q. Does the same hold true for Edwards  
5 Field, the timing of your citing of Jensen Disposal  
6 trucks?  
7 A. Yes.  
8 Q. I believe you also stated that Jensen  
9 Disposal was until about the 1960s owned by a Mr.  
10 Jensen, is that correct?  
11 A. Yes.  
12 Q. Do you know if that was Ernie Jensen?  
13 A. I don't know.  
14 Q. Okay. As I recall your testimony, you  
15 stated that Mr. Jensen sold Jensen Disposal to  
16 Obenauf Disposal sometime in the mid-1960s, is that  
17 right?  
18 A. Yes.  
19 Q. Can you pin down the date of that sale  
20 any closer?  
21 A. No.  
22 Q. Just sometime in the mid-sixties?  
23 A. Yes.  
24 Q. I believe you also stated after the sale

1 of Jensen Disposal by Mr. Jensen you did not see  
2 any Jensen Disposal trucks at the Yeoman Creek

3 Landfill, is that correct?  
4 A. Yes.  
5 Q. Does the same hold true for the Edwards  
6 Field Landfill?  
7 A. Yes.  
8 Q. Now, recognizing that after the sale of  
9 Jensen Disposal by Mr. Jensen you yourself did not  
10 see Jensen Disposal trucks at either Yeoman Creek  
11 or Edwards Field, do you have knowledge that after  
12 the sale by Mr. Jensen Jensen Disposal trucks did  
13 deliver waste to either Yeoman Creek or Edwards  
14 Field?  
15 A. I don't know.  
16 Q. I'd like to focus a little bit on the  
17 time period before the sale of Jensen Disposal by  
18 Mr. Jensen.  
19 It's true, is it not, that you did not  
20 work for Jensen Disposal?  
21 A. Yes.  
22 Q. That would hold true throughout your  
23 career. You have never worked for Jensen Disposal,  
24 right?

1040

1 A. No.  
2 MR. RANDOLPH: We have these tag rights, and  
3 I'm not sure where the yeses and noes land in terms  
4 of the questions you are asking.  
5 Did you ever work at Jensen Disposal at  
6 any time?  
7 THE WITNESS: No.  
8 MR. STRUBBE: Thank you.  
9 BY MR. STRUBBE:  
10 Q. I believe you described the Jensen  
11 Disposal trucks that you did see at the Yeoman  
12 Creek Landfill as light blue and, perhaps, white.  
13 Do you recall that?  
14 A. Yes.  
15 Q. I think you also stated that you had  
16 thought they were leach units, is that correct?  
17 A. Yes.  
18 Q. Do you recall the size or capacity of  
19 the Jensen Disposal trucks that you saw at either  
20 Yeoman Creek or Edwards Field?  
21 A. I believe they were 17 cubic yards.  
22 Q. Okay. Do you know how many trucks were  
23 operated by Jensen Disposal prior to the sale by  
24 Mr. Jensen?

1041

1 A. Just one, I believe, maybe two. I don't  
2 know for sure.  
3 Q. Regarding the Jensen Disposal truck or  
4 trucks that you saw at Yeoman Creek or Edwards  
5 Field, was there any distinctive markings or

6 writings on the trucks that --  
7 A. Yes.  
8 Q. -- would help you?  
9 What was on the trucks?  
10 A. It said "Jensen" on the truck.  
11 Q. Just "Jensen"?  
12 A. "Company."  
13 Q. I believe you stated that -- and, again,  
14 I'm focusing on the time period before the sale of  
15 Jensen Disposal by Mr. Jensen to Obenauf.  
16 I believe you stated that you saw Jensen  
17 Disposal trucks at Yeoman Creek about once a week,  
18 is that right?  
19 A. Yes.  
20 Q. Apart from what you saw, do you have  
21 knowledge as to the frequency of the delivery of  
22 waste to either Yeoman Creek or Edwards Field by  
23 Jensen Disposal trucks prior to the sale by Mr.  
24 Jensen?

1042

1 A. No.  
2 Q. Again, prior to the sale of Jensen  
3 Disposal by Mr. Jensen, do you know if Jensen  
4 Disposal utilized any landfills or disposal sites,  
5 other than Yeoman Creek or Edwards Field?  
6 A. I don't know.  
7 Q. Now, again, focusing on the pre-sale  
8 time period, do you have knowledge of the corporate  
9 structure or legal form of Jensen Disposal? In  
10 other words, was it a corporation, a partnership, a  
11 sole proprietorship? Do you have any knowledge as  
12 to the form?  
13 A. No.  
14 Q. I take it, then, you don't know whether  
15 there were any officers or directors or  
16 shareholders for Jensen Disposal prior to the sale  
17 by Mr. Jensen to Obenauf.  
18 A. I don't know, no.  
19 Q. I believe you had stated that you  
20 thought that prior to the sale by Mr. Jensen Jensen  
21 Disposal did mostly residential pickups of trash,  
22 is that correct?  
23 A. Yes.  
24 Q. Do you know if Jensen Disposal, during

1043

1 the time period they were owned by Mr. Jensen, had  
2 any commercial or industrial customers?  
3 A. I don't know.  
4 Q. If I recall your testimony correctly,  
5 you thought that Jensen Disposal, while it was  
6 operated or owned by Mr. Jensen, was located around  
7 the Gurnee area, is that correct?  
8 A. Yes.

9 Q. Do you know where their offices were?  
10 A. No.  
11 Q. Do you know if they had more than one  
12 facility or location?  
13 A. I think they only had one location.  
14 Q. To the best of your recollection, that  
15 was in the Gurnee area?  
16 A. Yes.  
17 Q. I'd like to focus a little bit on the  
18 sale of Jensen Disposal by Mr. Jensen to Obenauf  
19 Disposal. To me, the word sale is kind of  
20 generic.  
21 Do you know the form or the specifics of  
22 that sale? In other words, was it a sale of stock,  
23 a sale of assets, a corporate merger?  
24 Do you have any knowledge whatsoever

1044

1 regarding the sale?  
2 A. I don't know, no.  
3 Q. Do you know if Obenauf continued to  
4 operate trucks with Jensen Company or Jensen  
5 Disposal markings on the side after the sale?  
6 A. Yes.  
7 Q. Yes, they did continue to operate them?  
8 A. Yes.  
9 Q. Do you know how many trucks were  
10 purchased from Jensen by Obenauf?  
11 A. I believe only one or two.  
12 Q. Do you have knowledge of the corporate  
13 structure, if any, or legal form of Jensen Disposal  
14 after the purchase by Obenauf? In other words,  
15 again, was it a corporation, a partnership?  
16 A. I don't know.  
17 Q. Do you know if Obenauf assumed any of  
18 the debts or liabilities of Jensen Disposal as part  
19 of the sale in the mid-sixties?  
20 A. I don't know.  
21 Q. Do you know if Obenauf, as part of the  
22 sale, purchased the facility or facilities of  
23 Jensen Disposal?  
24 A. All I heard they bought out Jensen.

1045

1 Q. I'm sorry.  
2 A. All I heard that he bought out Jensen  
3 Disposal --  
4 Q. Okay.  
5 A. -- Service.  
6 Q. Well, you understand at the least that  
7 meant that Obenauf purchased Jensen's trucks, is  
8 that correct?  
9 A. Yes.  
10 Q. As you sit here today, you don't know  
11 whether or not any real property such as office

12 buildings or facilities were involved in that  
13 purchase, is that right?  
14 A. Yes.  
15 Q. Do you know whether or not Obenauf  
16 purchased customer lists from Jensen?  
17 A. I believe he did.  
18 Q. How is it that you have that belief?  
19 A. Whenever you buy or take over a route,  
20 you get the customer list with you.  
21 Q. Do you have knowledge that Obenauf took  
22 over Jensen's routes as part of the sale?  
23 A. Yes.  
24 Q. How is it that you know that?

1046

1 A. I was told that.  
2 Q. Do you remember who told you?  
3 A. I don't recall his name, no.  
4 Q. Was it an employee of Jensen?  
5 A. Yes.  
6 Q. Did this conversation take place at or  
7 about the time of the sale of Jensen?  
8 A. Yes.  
9 Q. Can you remember any specifics of the  
10 conversation?  
11 A. Just that Obenauf took over Jensen  
12 Disposal.  
13 Q. And that would include the routes?  
14 A. Yes.  
15 MR. RANDOLPH: Excuse me one second.  
16 (WHEREUPON, discussion was had  
17 off the record between the witness  
18 and Mr. Randolph outside the  
19 hearing of other counsel and the  
20 court reporter.)  
21 BY MR. STRUBBE:  
22 Q. Do you know whether or not Obenauf  
23 retained Jensen Disposal's phone number after the  
24 sale?

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1 A. I don't believe so, no.  
2 Q. Did Obenauf retain Jensen's employees  
3 and bring them on board as their own after the  
4 sale?  
5 A. The reason Obenauf bought Jensen, I  
6 believe that Jensen himself ran off the road with  
7 the garbage truck and was killed instantly. I  
8 believe he had a son which was working with Jensen  
9 at that time, got the job with Obenauf.  
10 Q. To your knowledge, did the routes which  
11 were operated by Jensen Disposal after the purchase  
12 by the Obenaufs expand or grow to include  
13 industrial or commercial accounts?  
14 A. I don't know.

15 Q. I'd like to go back again to the time  
16 before the sale to the Obenaufs.  
17 You had stated that you saw Jensen  
18 Disposal trucks about once a week in the early to  
19 the mid-sixties at either Yeoman Creek or Edwards,  
20 correct?  
21 A. Yes.  
22 Q. Did you ever observe those trucks  
23 unloading?  
24 A. No.

1048

1 Q. Can you recall if there was a day or  
2 days of the week on which you would see Jensen  
3 Disposal trucks at either Yeoman Creek or Edwards?  
4 A. Couple of -- during the day when I was  
5 at the landfill, he was either pulling in or  
6 pulling out.  
7 MR. RANDOLPH: He's asking did it always occur  
8 on any one specific day, a Friday or a Thursday or  
9 something like that.  
10 THE WITNESS: No. I don't know.  
11 BY MR. STRUBBE:  
12 Q. You don't know?  
13 A. It did not.  
14 MR. STRUBBE: I have nothing else. Thanks.  
15 MR. YORK: Let me go off the record for a  
16 second.  
17 (WHEREUPON, discussion was had  
18 off the record.)  
19 MR. YORK: You recall my name is Robert York,  
20 and I represent North Shore Sanitary District and  
21 The Copley Press, also known as Waukegan News-Sun.  
22 The questions I have are strictly regarding the

1 IN THE UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF ILLINOIS  
3 EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6 Plaintiffs,) VOLUME I  
7 v. ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9 Defendants.) Magistrate Judge Rosemond

10  
11  
12 The deposition of PEDER KIRKEGAARD,  
13 called as a witness for examination, taken pursuant  
14 to the Federal Rules of Civil Procedure of the  
15 United States District Courts pertaining to the  
16 taking of depositions, taken before MELANIE JAKUS,  
17 a Notary Public within and for the County of  
18 DuPage, State of Illinois, and a Certified  
19 Shorthand Reporter of said state, at The Marc Plaza  
20 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
21 Wisconsin, on the 19th day of October, A.D. 1993,  
22 at 9:30 a.m.  
23  
24



1 Q. Can you remember any of their names?  
2 A. Yes, I can remember some of the names.  
3 Before we bought out Peter Fargaard, he dumped in  
4 there, John Sisson, Jensen Disposal, Century  
5 Disposal, Abbott Laboratories. There was more.  
6 I have at one point made a list of what  
7 I could remember. It took me some time to think of  
8 all of them.  
9 Q. How about a company called Norlack?  
10 A. Fred Norlack.  
11 Q. Fred Norlack.  
12 A. Yes. He bought out John Sisson  
13 Disposal.  
14 Q. What about Superior? Did Superior take  
15 waste there?  
16 A. Yes.  
17 Q. What about North Shore Waste Control?  
18 Was that a waste hauling company?  
19 A. North Shore Waste, yes. Yes.  
20 Q. Do you know whether North Shore Waste  
21 took waste to the Yeoman Creek site?  
22 A. I'm not sure.  
23 Q. Did you ever see a truck of North Shore  
24 Waste at the Yeoman Creek site that you can recall?

1 Q. Can you tell me what was the file that  
2 it was misfiled into? What kind of file was that?  
3 A. Well, it was basically in a brown  
4 envelope.  
5 Q. In a brown envelope?  
6 A. Yes.  
7 Q. Okay. Well, we will probably go into it  
8 better. It's probably best to look at it when we  
9 have got the document tomorrow.  
10 How about Jensen Disposal? What sort of  
11 customers did Jensen Disposal have?  
12 A. Jensen's routes were out towards the  
13 Gurnee area.  
14 Q. Okay. What sort of customers? Were  
15 they residential?  
16 A. It was a mix, residential and  
17 commercial.  
18 Q. Can you remember any of Jensen's  
19 customers? Did you know of any particular  
20 customers which stood out in your mind of Jensen  
21 Disposal?  
22 A. Yes. He was servicing like the Rustic  
23 Manor in Gurnee.  
24 Q. Any others that you can recall?

1 A. No, but basically all the homes in the  
2 Gurnee area.  
3 Q. Did Jensen Disposal service any  
4 factories or industrial accounts that you can  
5 recall?  
6 A. Not that I could recall, but it's very  
7 possible.  
8 Q. Let me ask this, although perhaps we  
9 will get into it tomorrow: Do you recall any of  
10 the customers that John Sisson served?  
11 A. Yes, I can remember some of them. He  
12 used to service Midland Paint for many years.  
13 Q. Do you know whether he serviced Midland  
14 Paint in the period of time immediately before  
15 Waukegan Disposal picked up that Midland account?  
16 A. Yes.  
17 Q. Okay. And that, if I recall, you  
18 testified was in the late sixties.  
19 A. Yes.  
20 Q. So before that time John Sisson served  
21 that account.  
22 A. Exactly.  
23 Q. Okay. Do you know where Mr. Sisson is  
24 today?

1 Q. Did A & A exist before Mr. Larsen split  
2 up with Mr. Dutton?  
3 A. No.  
4 Q. Okay. I think you said before that you  
5 thought A & A took waste to Yeoman Creek.  
6 Would that refresh your recollection  
7 that Larsen and Dutton probably split up before  
8 Yeoman Creek was closed?  
9 A. No, I'm not sure of that and, if I said  
10 it, I'll --  
11 Q. Okay. I just want to clarify it. So  
12 you now don't recall whether A & A was in business  
13 at the time that Yeoman Creek was open.  
14 A. No.  
15 Q. Okay. Now, how about Obenauf?  
16 A. Obenauf bought out Jensen Disposal.  
17 That definitely went in there. There is no  
18 question.  
19 Q. Okay. Did Mr. Obenauf have other  
20 businesses?  
21 A. Yes. He owned several companies,  
22 Mundelein Disposal Service, Jensen, A & A,  
23 Petersen Disposal.  
24 Q. Now, did some of those companies take

1 their waste to the Yeoman Creek Landfill?  
2 A. Some of them. We never knew where the  
3 truck actually came from, if it said Jensen,  
4 Petersen, Obenauf or Mundelein Disposal, but they  
5 were all with the baby blue color.  
6 Q. Okay. So all of Mr. Obenauf's companies  
7 had baby blue trucks.  
8 A. Yes.  
9 Q. You saw those baby blue trucks with his  
10 companies' names on them at the landfill with some  
11 frequency.  
12 A. Exactly.  
13 Q. Do you know whether Mr. Obenauf's  
14 companies took their waste anywhere else?  
15 A. He had his own landfill as well out in  
16 Wauconda.  
17 Q. Okay. But did you ever take any waste  
18 to that Wauconda landfill?  
19 A. No, I don't believe I have.  
20 Q. Okay. So you don't know what he could  
21 have taken to that landfill.  
22 A. No.  
23 Q. Do you know what customers Jensen  
24 Disposal had? Let me back up.

1 Do you know what customers Mr. Obenauf's  
2 companies had?

3 A. Yes. He serviced basically the city of  
4 Mundelein and surrounding areas.  
5 Q. Do you know what customers in the  
6 Waukegan area he serviced?  
7 A. No, not exactly.  
8 Q. Are you aware of any larger customers of  
9 Mr. Obenauf's companies in the Waukegan area?  
10 MR. RANDOLPH: Are you including Jensen now as  
11 one of the Obenauf companies? I think maybe it  
12 would help to give that one separate.  
13 MR. VARICK: Why don't I do that.  
14 BY MR. VARICK:  
15 Q. As to Jensen Disposal, do you recall any  
16 Jensen Disposal customers in the Waukegan area?  
17 MR. STRUBBE: Object. Asked and answered.  
18 MR. VARICK: Thanks.  
19 BY THE WITNESS:  
20 A. Well, that was the Rustic Manor, as I  
21 mentioned before, and I believe that there was some  
22 type of a factory down in the North Chicago area  
23 that he also serviced, some kind of a foam factory  
24 of some kind. I'm not exactly sure, but he did

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1 have commercial accounts in the Waukegan area.  
2 BY MR. VARICK:  
3 Q. Now, Mr. Obenauf, I understand, owned  
4 these other companies as well, Mundelein, A & A and  
5 Petersen, in addition to Jensen.  
6 A. Yes.  
7 Q. Okay. You sometimes saw Mundelein,  
8 A & A or Petersen trucks --  
9 A. Yes.  
10 Q. -- at the Yeoman Creek Landfill.  
11 A. Exactly, yes.  
12 Q. Okay. Now, is this the same A & A that  
13 you told us before Mr. Larsen owned?  
14 A. Uh-huh. He purchased that from Mr.  
15 Larsen.  
16 Q. Okay. So Jensen purchased A & A from  
17 Larsen.  
18 A. Yes. John Obenauf purchased.  
19 Q. I'm sorry. John Obenauf purchased A & A  
20 from Larsen.  
21 A. Yes.  
22 Q. Now, when Larsen owned A & A, did they  
23 use a baby blue truck?  
24 A. No.

1 Q. So they painted those trucks baby blue  
2 when Mr. Obenauf purchased A & A, correct? Is that  
3 fair?

4 MS. CLOKEY: If you know.  
5 BY THE WITNESS:

6 A. I'm trying to remember if that  
7 particular truck was painted -- or I believe that  
8 he kept the same color of A & A, which was a yellow  
9 color. I cannot remember if he painted that baby  
10 blue, but it still kept saying "A & A" on it.

11 BY MR. VARICK:

12 Q. Do you know whether Mr. Obenauf  
13 purchased A & A before the Yeoman Creek site  
14 closed?

15 A. I don't recall when that happened.

16 Q. You said before that Jensen had one  
17 large industrial customer in North Chicago which  
18 you thought was a form factory.

19 Do I recall you saying that correctly?

20 A. Some kind of a foam.

21 Q. Oh, foam. I'm sorry. F-o-a-m.

22 Do you have any recollection of where  
23 that was, other than generally in North Chicago?

24 A. That's right. I'm not sure exactly

1 where it was located.

2 Q. Okay. You don't know what the name of  
3 that business is.

4 A. No.

5 Q. Okay. You also said that Abbott hauled  
6 some waste or you saw Abbott. I shouldn't say  
7 "hauled some waste."

8 You saw Abbott at the Yeoman Creek  
9 site.

10 A. Yes.

11 Q. What did you see?

12 A. I saw them dump their trucks in there.  
13 They had their own Leach packer truck.

14 Q. Okay. Others can ask you about that.

15 Do you know whether the city of Waukegan  
16 took any waste to the Yeoman Creek site?

17 A. Yes, they did.

18 Q. How do you know?

19 A. I saw their trucks come in.

20 Q. How often did you see those trucks  
21 there?

22 A. Well, when there was special cleanups in  
23 Waukegan, the Waukegan city trucks would haul that  
24 in there in dump trucks.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

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October 21, 1993  
9:40 a.m.

The deposition of PEDER KIRKEGAARD  
resumed pursuant to adjournment at The Marc Plaza  
Hotel, 509 West Wisconsin Avenue, Milwaukee,  
Wisconsin.

1 MR. STRUBBE: Mr. Kirkegaard, my name is Joe  
2 Strubbe. I represent Jensen Disposal.  
3 It's now my turn to ask you a few  
4 questions. I just want to follow up on some of the  
5 things that you testified to earlier.

6 PEDER KIRKEGAARD,  
7 called as a witness herein, having been previously  
8 duly sworn and having testified, was examined and  
9 testified further as follows:

10 EXAMINATION

11 BY MR. STRUBBE:

12 Q. You understand that you are still under  
13 oath.

14 A. Yes, I do.

15 Q. You testified that you saw Jensen  
16 Disposal trucks at the Edwards Field/Yeoman Creek  
17 Landfill site.

18 Do you recall that?

19 A. Yes, I do.

20 Q. Can you describe on average how often  
21 you saw Jensen trucks at the Yeoman Creek/Edward  
22 Field site?

23 A. It's pretty hard to explain exactly how  
24 many times, but I saw them quite often.

1 Q. Okay. Could we narrow down "quite  
2 often" a little bit? I don't want you to guess,  
3 but would that be once a week, once a month, twice  
4 a week?

5 A. I would say on a regular basis.

6 Q. Okay. Do you think you saw them there  
7 every day?

8 A. No.

9 Q. Would you have seen Jensen trucks there  
10 more than once a month?

11 A. I would say yes.

12 Q. Do you think you saw Jensen trucks at  
13 the site more than once a week?

14 A. I would like to ask you what year are  
15 you referring to.

16 Q. Okay. That's a good point.

17 The Edwards Field/Yeoman Creek Landfill  
18 operated for approximately ten years from 1959 to  
19 1969, is that correct?

20 A. That's correct.

21 Q. At any time during that ten-year period  
22 did the frequency with which you saw Jensen  
23 Disposal trucks at either of those sites change?

24 A. I would say I saw the Jensen Disposal

1 trucks in there more often in the beginning of the  
2 sixties than at the later part of the sixties.

3 Q. So is it accurate to say that you saw  
4 Jensen Disposal trucks more often when the southern  
5 end or the Edwards Field portion of the site was in  
6 use than when the northern end was in use?  
7 A. Yes, that must be correct.  
8 Q. Can you estimate how often you saw  
9 Jensen Disposal trucks at the southern end or  
10 Edwards Field portion of the site?  
11 A. I would say probably a couple times a  
12 week, but I were not at the site at all times.  
13 Q. How often did you see Jensen Disposal  
14 trucks when the northern portion or Yeoman Creek  
15 portion of the site was in use?  
16 A. Well, then I would see other trucks with  
17 the same color as the Jensen trucks, but it was  
18 still from the same company. They would maybe be  
19 called Jensen, Obenauf, Mundelein Disposal or  
20 Petersen Disposal.  
21 Q. Let's go back to the southern end of the  
22 site for a minute and those times when you saw  
23 Jensen Disposal trucks at the southern end or  
24 Edwards Field portion of the site.

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1 Could you describe those trucks?  
2 A. Well, the first years were all by Jensen  
3 Disposal, which was the company that sold out to  
4 Obenauf Disposal Service. Mr. Jensen had a  
5 different color on his trucks.  
6 Q. What color was that?  
7 A. They were, I believe, white with a red  
8 cab.  
9 Q. Now, were these trucks white with a red  
10 cab when Mr. Jensen owned Jensen Disposal?  
11 A. Yes.  
12 Q. Do you know whether they remained that  
13 color after Obenauf's purchased Jensen Disposal?  
14 A. No. Then they were painted the same  
15 color as baby blue.  
16 Q. Do you recall what year that was that  
17 Obenauf purchased Jensen Disposal and painted the  
18 trucks baby blue?  
19 A. I don't remember the exact year. It was  
20 in the first half of the sixties.  
21 Q. So as best as you can recall, it was  
22 prior to the time that you purchased Peter  
23 Fargaard's business.  
24 A. Yes.

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1 Q. Okay. I would like to focus on that  
2 time period when you saw Jensen Disposal trucks at  
3 the site and they were baby blue.  
4 A. Yes.  
5 Q. Still talking about the southern portion



6 of the site, do you recall the manufacturer of  
7 those trucks?  
8 MR. RANDOLPH: You are talking about the  
9 Jensen --  
10 MR. STRUBBE: The baby blue Jensen trucks,  
11 first half of the sixties.  
12 BY THE WITNESS:  
13 A. Yes. They were Leaches.  
14 BY MR. STRUBBE:  
15 Q. Do you know the size?  
16 Let me ask you this: Was there more  
17 than one, to the best of your knowledge?  
18 A. I believe there was only one with the  
19 name "Jensen" on it, but they were all Leaches  
20 whether they said Obenauf, Petersen or Mundelein  
21 Disposal.  
22 Q. Just focusing on baby blue Jensen  
23 Disposal trucks.  
24 A. Yes, that said --

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1 Q. Well, let me ask you. Did the truck  
2 indicate on the side anywhere that it was from  
3 Jensen Disposal? Did it have the name "Jensen" on  
4 it?  
5 A. It had the name "Jensen" on it.  
6 Q. This is when it was baby blue.  
7 A. Yes.  
8 Q. As far as you can recall, there was only  
9 one such truck, baby blue, which said "Jensen" on  
10 it.  
11 A. Well, it could have been more than one.  
12 It's hard to determine, if they are all alike and  
13 they don't have numbers on them, if there's only  
14 one. There could be two.  
15 Q. Okay. Fair enough. So as you sit here  
16 today, you don't know how many baby blue trucks  
17 there were that said "Jensen" on them.  
18 A. That's correct.  
19 Q. You said that the truck said "Jensen."  
20 Where was that marking, do you recall?  
21 A. Yes. That was marked up on the very  
22 front on the packer truck itself and also on the  
23 side.  
24 Q. Do you recall what color the writing

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1 was?  
2 MR. RANDOLPH: At the time it was baby blue?  
3 MR. STRUBBE: Yes.  
4 BY THE WITNESS:  
5 A. I believe it was white letter.  
6 BY MR. STRUBBE:  
7 Q. Again, as to the baby blue Jensen  
8 trucks, do you recall what size they were?

9 A. Approximately 17 cubic yarders.  
10 Q. Are you aware that Obenauf's owned the  
11 Wauconda Sand and Gravel Pit?  
12 A. Yes, I am.  
13 Q. And that was used as a landfill.  
14 A. Uh-huh.  
15 MR. RANDOLPH: Yes or no would be helpful.  
16 BY THE WITNESS:  
17 A. Yes.  
18 BY MR. STRUBBE:  
19 Q. Did the frequency with which you saw  
20 Jensen Disposal trucks at the site drop off after  
21 the colors were changed from the red and white to  
22 the blue? Again, I'm focusing only on those trucks  
23 which said "Jensen."  
24 A. Well, I believe that the reason I saw

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1 less Jensen in there was because they did not  
2 frequently at all times use the Jensen name truck  
3 on those routes, so therefore they would bring in a  
4 truck which would also say "Obenauf" or "Mundelein  
5 Disposal." In other words, they mixed the  
6 equipment around.  
7 Q. Okay. But just focusing on the trucks  
8 that said "Jensen" --  
9 A. That would be less.  
10 Q. So after they became baby blue, you saw  
11 them there less often than when they were red and  
12 white.  
13 A. With the name "Jensen," yes.  
14 Q. Can you recall approximately how many  
15 times per week you saw baby blue trucks that said  
16 "Jensen" on them at the site?  
17 A. I couldn't speculate on that.  
18 Q. Was it more than once a month?  
19 A. Yes.  
20 Q. How about more than once a week?  
21 A. At least once a week.  
22 Q. Do you know whether Jensen Disposal  
23 trucks also utilized the Wauconda Sand and Gravel  
24 Pit to dump their waste?

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1 A. I don't know.  
2 Q. Did you continue to observe baby blue  
3 Jensen trucks that said "Jensen" on them at the  
4 Edwards Field/Yeoman Creek site throughout the  
5 1960s?  
6 A. Yes, I did.  
7 Q. Focusing on the latter part of the  
8 sixties and, again, asking only about the baby blue  
9 trucks which actually said "Jensen" on them, did  
10 the frequency with which you saw those trucks at  
11 the site drop off?

12 A. No. I actually think it increased.  
13 Q. It increased in the later part of the  
14 sixties.  
15 A. Yes.  
16 Q. About how often would you see the baby  
17 blue Jensen trucks at the site in the latter part  
18 of the sixties?  
19 A. I cannot tell you, but more than before.  
20 Q. Focusing on the entire 1960s, do you  
21 know at any point how many baby blue trucks that  
22 actually said "Jensen" on them were used by Jensen  
23 Disposal?  
24 A. I don't know.

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1 Q. Was Mr. Jensen's first name Rudy?  
2 A. Yes.  
3 Q. Rudy Jensen sold Jensen Disposal to the  
4 Obenaufs.  
5 A. Yes.  
6 Q. Do you know whether that was to John  
7 Obenauf or Al Obenauf or both?  
8 A. It was John Obenauf, I believe.  
9 Q. I may have asked you this before and, if  
10 so, I apologize.  
11 Do you know what year that sale took  
12 place?  
13 A. I don't recall.  
14 Q. Do you believe it was somewhere around  
15 the time that you purchased Mr. Fargaard's  
16 business?  
17 A. I believe it was before that.  
18 Q. Can you recall at all how far before, a  
19 year before, two years before?  
20 A. I would say it was between '65 and '61.  
21 Q. You testified two days ago that you  
22 thought that Jensen Disposal had mostly residential  
23 or commercial routes in the Gurnee area, is that  
24 correct?

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1 A. That's correct.  
2 Q. When you stated that, were you referring  
3 to the trucks which said "Jensen Disposal" on them  
4 or to any one of the various companies owned by the  
5 Obenaufs?  
6 A. I was referring to the Jensen Disposal  
7 business.  
8 Q. I understand your testimony that any one  
9 of the different companies or trucks owned by the  
10 Obenaufs may have been used interchangeably, but  
11 I'd like to focus just on the trucks that said  
12 "Jensen Disposal," and, as far as you know, just on  
13 the Jensen Disposal routes.  
14 A. Okay.

15 Q. If I recall your testimony correctly,  
16 you stated that you could not recall whether Jensen  
17 had any industrial or factory accounts, is that  
18 correct?  
19 A. They had some commercial accounts.  
20 Q. Okay. Can you tell me, in your own  
21 mind, what the difference is between a commercial  
22 account and a factory or industrial account?  
23 A. Well, like a restaurant would be a  
24 commercial account and the factory would be a

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1 commercial account -- I mean, an industrial  
2 account.  
3 Q. So is it accurate to say, as you sit  
4 here today, you don't recall that Jensen had any  
5 factories or, as you would define it, industrial  
6 accounts?  
7 A. That's right.  
8 Q. You testified that you thought that  
9 Jensen's serviced Rustic Manor.  
10 Is that a restaurant?  
11 A. That's a restaurant.  
12 Q. And that was by Gurnee.  
13 A. Yes.  
14 Q. Do you know the years that Jensen  
15 serviced Rustic Manor?  
16 A. I don't.  
17 Q. Do you know of other commercial accounts  
18 that were serviced by Jensen Disposal at any time  
19 in the 1960s?  
20 A. Yes. All the commercial accounts in  
21 Gurnee were basically serviced by Jensen Disposal  
22 Service.  
23 Q. Were they the only disposal service  
24 serving the Gurnee area?

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1 A. At one time, yes.  
2 Q. What time was that?  
3 A. In the early sixties.  
4 Q. Was that prior to the time that Rudy  
5 Jensen sold to John Obenauf?  
6 A. At the time he sold out and after, some  
7 while after.  
8 Q. Do you know where Jensen Disposal  
9 brought its waste?  
10 A. Yes. They took it to the Yeoman Creek  
11 Landfill.  
12 Q. Do you know whether they also brought it  
13 to the Wauconda Sand and Gravel landfill?  
14 A. I don't know that.  
15 Q. Was there a landfill in Zion during this  
16 time?  
17 MS. CLOKEY: During which time?

18 MR. STRUBBE: 1960s.  
19 BY THE WITNESS:  
20 A. I don't know.  
21 BY MR. STRUBBE:  
22 Q. You testified that you saw Jensen  
23 Disposal trucks at the Yeoman Creek Landfill.  
24 Other than seeing the trucks there, do

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1 you have a basis for your belief that Jensen  
2 Disposal brought its waste there? In other words,  
3 did anyone ever tell you that?  
4 A. Well, I saw the truck dump there.  
5 Q. Did anyone ever tell you that Yeoman  
6 Creek was the only place that Jensen brought its  
7 waste?  
8 A. No.  
9 Q. Did anyone ever tell you or describe the  
10 type of waste that Jensen brought to Yeoman Creek?  
11 A. No.  
12 Q. So what you know about the waste is what  
13 you saw, is that correct?  
14 A. That's correct.  
15 Q. What did you see on those occasions when  
16 you saw Jensen trucks unloading at the Yeoman Creek  
17 Landfill?  
18 A. Well, I saw a load of waste being  
19 dumped.  
20 Q. Could you describe what that waste was  
21 comprised of?  
22 A. No. I wouldn't speculate on that. I  
23 didn't dig through it.  
24 Q. Did you know any of the drivers for

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1 Jensen Disposal?  
2 A. Not by name, but by seeing them, yes.  
3 Q. On Tuesday you testified, as you did  
4 just a few minutes ago, about the various companies  
5 that were owned by the Obenaufs, and then you  
6 stated that you thought that there was a foam  
7 factory in North Chicago that was serviced by the  
8 Obenaufs or by one of their companies.  
9 A. Yes.  
10 Q. Was that Jensen Disposal that serviced  
11 this foam factory?  
12 A. No. It was a different one of the  
13 companies.  
14 Q. Do you recall which one?  
15 A. I don't recall which one.  
16 Q. Do you know where they brought that  
17 waste from the foam factory?  
18 A. I have seen them dump it at Waukegan  
19 landfill.  
20 Q. Do you recall the color of the truck?

21 MR. RANDOLPH: Excuse me. By "Waukegan  
22 landfill," could you clarify what you mean by  
23 that?  
24 THE WITNESS: Yeoman Creek Landfill.

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1 BY MR. STRUBBE:  
2 Q. Do you recall the color of the truck  
3 that you saw unloading this waste from the foam  
4 factory?  
5 A. Yes. It was baby blue.  
6 Q. As I understand your testimony, that was  
7 the color of various companies' trucks which were  
8 owned by the Obenaufs, is that right?  
9 A. It said "Obenauf Disposal" on the  
10 truck.  
11 Q. What did the waste look like?  
12 A. Just a lot of foam.  
13 Q. Like foam rubber or styrofoam foam?  
14 A. Yes. It was entirely different from a  
15 regular load of garbage. It just became very much  
16 bigger when it was pushed out on the ground from  
17 the truck.  
18 (WHEREUPON, Mr. Robert W. York  
19 entered the deposition proceedings.)  
20 BY MR. STRUBBE:  
21 Q. But that was not Jensen Disposal, is  
22 that right?  
23 A. That was Obenauf on that truck.  
24 Q. How did you know that that waste came

525

1 from the foam factory? Did anyone tell you that?  
2 A. Well, we saw the truck pull out from the  
3 factory, and we also saw it being dumped.  
4 Q. Do you have any knowledge of how often  
5 this Obenauf truck would pick up from the foam  
6 factory?  
7 A. No, I don't.  
8 Q. Do you recall the size of the Obenauf  
9 truck that you saw disposing of this foam waste?  
10 A. Yes. It was probably a 17-yarder, I  
11 believe.  
12 Q. Your observations of this Obenauf truck  
13 unloading foam, did they continue throughout the  
14 1960s or did you see this truck unloading foam at  
15 Yeoman Creek/Edwards Field more often at the  
16 beginning or the end of the sixties?  
17 A. I did not see it an awful lot of times,  
18 but I have seen it two or three times.  
19 Q. So you saw this truck two or three  
20 times --  
21 A. Dumping.  
22 Q. -- dumping at Edwards Field/Yeoman  
23 Creek.

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1 Q. That's two or three times throughout the  
2 entire 1960s.

3 A. I don't recall what period of the  
4 sixties it was.

5 Q. But, as best as you can recall, you only  
6 saw this truck unloading at the Yeoman  
7 Creek/Edwards Field site two or three times.

8 A. Yes.

9 Q. Do you know whether or not waste from  
10 the foam factory was also taken to Wauconda Sand  
11 and Gravel Pit?

12 A. I don't know that.

13 Q. Where was this foam factory located?

14 A. It was located down in North Chicago. I  
15 can't remember the exact street. It was in the  
16 vicinity of Stone Container Corporation.

17 Q. Was this foam factory called American  
18 Urethane?

19 A. I cannot remember the exact name of it.

20 Q. Do you know how many trucks Jensen  
21 Disposal owned during that time that it was owned  
22 by Rudy Jensen?

23 A. I believe two.

24 Q. Those were red and white trucks.

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1 A. That's how I recall them.

2 Q. Were those 17-yard packers?

3 A. No. I think they might have been a  
4 little smaller than that.

5 Q. Do you know whether Jensen Disposal was  
6 incorporated during the time that Rudy Jensen was  
7 the owner?

8 A. I don't know.

9 Q. I take it, then, you don't have  
10 knowledge of the identity of shareholders or  
11 officers or directors.

12 A. No.

13 Q. How about after Jensen Disposal was  
14 purchased by John Obenauf? Do you know whether Mr.  
15 Obenauf incorporated Jensen Disposal?

16 A. No, I don't.

17 Q. Do you know any facts concerning the  
18 purchase of Jensen Disposal by John Obenauf, other  
19 than the fact that it involved the transfer of  
20 equipment, the trucks?

21 MS. CLOKEY: Object to the form of the  
22 question.

23 BY MR. STRUBBE:

24 Q. Let me ask you this. Strike that.

1 As part of the purchase by John Obenauf  
2 of Jensen Disposal, did Mr. Obenauf take possession  
3 of the two trucks?  
4 A. I don't know that.  
5 Q. Do you know whether customer lists or  
6 accounts were included in that purchase?  
7 A. I don't know that either.  
8 Q. Is it accurate to say then that you  
9 don't have any knowledge of any of the details  
10 concerning the sale of Jensen Disposal from Rudy  
11 Jensen to John Obenauf?  
12 A. Not really.  
13 MR. RANDOLPH: I'm not sure what that question  
14 and answer means. I think maybe it would be  
15 helpful to ask the question and get a yes or no  
16 without confusing whether it is accurate to say.  
17 MR. STRUBBE: Let me try to recap.  
18 BY MR. STRUBBE:  
19 Q. What do you know about the sale of  
20 Jensen Disposal from Rudy Jensen to John Obenauf?  
21 A. Well, I know this: Mr. Jensen started  
22 driving the blue trucks himself, and we were told  
23 that it was sold to Obenauf. Mr. Jensen happened  
24 to die of a heart attack in one of the trucks.

1 Q. Who was it that told you that Jensen  
2 Disposal had been sold to John Obenauf?  
3 A. John Obenauf told me himself.  
4 Q. Do you recall any details about what  
5 John told you?  
6 A. Just that he had bought out Jensen  
7 Disposal. He serviced my home in Gurnee.  
8 Q. Okay. Jensen Disposal with the powder  
9 blue trucks serviced your home in Gurnee.  
10 A. Yes.  
11 Q. Did Jensen Disposal service your home  
12 when they had red and white trucks?  
13 A. No.  
14 Q. Who did?  
15 A. I did.  
16 Q. Why did you stop servicing your own  
17 home?  
18 A. Because Jensen offered not to charge me  
19 for picking it up.  
20 Q. So, as best as you can recall, at some  
21 point in time after John Obenauf bought Jensen  
22 Disposal Jensen Disposal started servicing your  
23 home in Gurnee, is that right?  
24 A. That's right.

1 Q. Does that help you recall what year the



2 sale of Jensen Disposal to John Obenauf took place?  
3 A. No, I don't recall that.  
4 Q. You testified a little bit about A & A  
5 Disposal.  
6 Do you recall that?  
7 A. Yes.  
8 Q. That was formed by a Mr. Larsen and a  
9 Mr. Dutton, correct?  
10 A. No. I think it was formed by Mr.  
11 Larsen.  
12 Q. Was that Willy or Fred Larsen?  
13 A. That was Fred Larsen.  
14 Q. I guess I took bad notes.  
15 At some point did Mr. Dutton become a  
16 partner or part owner in A & A?  
17 A. No.  
18 Q. Had Mr. Dutton and Mr. Larsen been  
19 partners in a company prior to the formation of  
20 A & A?  
21 A. Yes, called D & L Garbage Company.  
22 Q. That explains my confusion.  
23 I believe you testified that you weren't  
24 sure whether or not A & A Disposal had been formed

1 Q. Where were the buildings located?  
2 A. Off of Washington Street.  
3 Q. Would that have been residential waste?  
4 A. That was all residential waste.  
5 Q. Their waste would have been delivered to  
6 Yeoman Creek.  
7 A. Yes.  
8 Q. Do you ever recall a time when Jensen or  
9 Rudy Jensen had the Stone Container account?  
10 A. I don't recall that.  
11 Q. Do you recall whether any waste from  
12 American Hospital Supply was ever delivered to the  
13 Yeoman Creek site?  
14 A. Yes, I do.  
15 Q. Who was the hauler?  
16 A. National Disposal Service.  
17 Q. During what period of time?  
18 A. That would have been in the middle to  
19 late sixties.  
20 Q. How do you know that National hauled  
21 American Hospital Supply?  
22 A. Well, we saw their trucks go in and out  
23 of there.  
24 Q. Where was that location?

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME IV  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

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October 22, 1993  
8:30 a.m.

The deposition of PEDER KIRKEGAARD  
resumed pursuant to adjournment at The Marc Plaza  
Hotel, 509 West Wisconsin Avenue, Milwaukee,  
Wisconsin.

1 by all of the commercial haulers in Waukegan, North  
2 Chicago, Gurnee went to whatever at that time was  
3 the city landfill?  
4 MR. BOWMAN: I will object. Lack of  
5 foundation.  
6 MR. STRUBBE: I'll join that objection.  
7 BY MR. BECK:  
8 Q. You may answer.  
9 A. Yes.  
10 Q. When you lived in Gurnee and Mr. Obenauf  
11 picked up your garbage --  
12 A. Yes.  
13 Q. -- that was through the company Jensen  
14 Disposal.  
15 A. Yes.  
16 Q. Did they have a city contract with  
17 Gurnee? Is that how you got your garbage picked  
18 up?  
19 A. No.  
20 Q. They just picked up your garbage for  
21 free.  
22 A. Yes.  
23 Q. Why did they do that?  
24 A. I believe they did that so we would not

1 go out and solicit any accounts out in that area.  
2 Q. So were they hauling for everybody up  
3 and down the block?  
4 A. Yes.  
5 Q. Were they hauling for everybody in  
6 Gurnee?  
7 A. Most of them.  
8 Q. Where was that waste going?  
9 A. That was going to the Yeoman Creek  
10 Landfill.  
11 Q. That was after Obenauf owned the  
12 company.  
13 A. Yes.  
14 Q. You have given a lot of information  
15 about customers of other hauling companies, not  
16 just Waukegan Disposal Service, Inc., but you have  
17 talked about your information concerning other  
18 haulers.  
19 Is it fair to say that Waukegan was a  
20 small enough community that the haulers acquired a  
21 fair amount of market knowledge about one another's  
22 customer bases?  
23 A. Yes.  
24 Q. Is it through that process that you

1 Waukegan.

2 MR. VARICK: Okay. I have nothing further.

3 MR. STRUBBE: I have got a few, Mr.

4 Kirkegaard. Joe Strubbe representing Jensen  
5 Disposal.

6 FURTHER EXAMINATION

7 BY MR. STRUBBE:

8 Q. Do you recall, Mr. Kirkegaard, the other  
9 day I asked you questions about whether or not  
10 Jensen Disposal serviced commercial accounts in  
11 Gurnee? Do you recall me asking you about that?

12 A. Yes.

13 Q. Okay. Do you recall, in response to my  
14 questions, your statement that you believe that  
15 Jensen was the only waste hauler servicing Gurnee?  
16 Do you recall saying that?

17 A. I recall saying that.

18 Q. It was based on your belief that Jensen  
19 was the only waste hauler servicing Gurnee that you  
20 stated that Jensen serviced all the commercial  
21 accounts in Gurnee, is that right?

22 A. Yes. This would be referring back to  
23 the early sixties.

24 Q. Okay. At some point in the sixties

1 there were other waste haulers serving Gurnee.

2 A. I believe as the sixties went on Jensen  
3 did not haul all the accounts in Gurnee.

4 Q. Can you give me a date by which other  
5 waste haulers started servicing Gurnee accounts?

6 A. No, but I can tell you that at the time  
7 that Jensen himself and his son were servicing  
8 Gurnee at that time they serviced basically the  
9 whole town.

10 Q. Okay. How about when -- strike that.

11 After John Obenauf purchased Jensen,  
12 were there other waste haulers servicing Gurnee?

13 A. In the beginning, there would only have  
14 been Obenauf, but as time went on there would be  
15 other waste haulers.

16 Q. Do you know when Mr. Knudsen went into  
17 business as a waste hauler?

18 MS. CLOKEY: When he first went into  
19 business?

20 MR. STRUBBE: Right.

21 BY THE WITNESS:

22 A. He was working for Peter Fargaard before  
23 I even started in Waukegan.

24 BY MR. STRUBBE:

1 Q. Do you know when Mr. Knudsen started

2 doing business as Delta Disposal Service?  
3 A. Yes. I believe in the sixties.  
4 Q. Would that have been in the early 1960s?  
5 A. Yes.  
6 Q. Do you know whether Delta Disposal  
7 Service had accounts in the Gurnee area?  
8 MS. CLOKEY: During what period of time?  
9 MR. STRUBBE: The early sixties.  
10 BY THE WITNESS:  
11 A. It's possible.  
12 BY MR. STRUBBE:  
13 Q. I'd like to direct your attention to  
14 Exhibit 47, the first page, first paragraph  
15 beginning with "Whereas." I'd like to direct your  
16 attention to the second, third and fourth line  
17 which indicates that Delta Disposal Service was  
18 operating in and near the village of Gurnee.  
19 I'd like to ask if this helps you recall  
20 that that was, in fact, the case, that Delta did  
21 service Gurnee.  
22 A. Yes, in the Gurnee area, but some of the  
23 accounts that Delta serviced could be out in the  
24 country but still have a Gurnee address.

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1 Q. Do you know whether any of the accounts  
2 Delta serviced were in the village of Gurnee?  
3 MR. RANDOLPH: This document is 1966. Are we  
4 talking about that time frame now or the early  
5 sixties because I'm not sure there's an  
6 inconsistency?  
7 MR. STRUBBE: Any time before the date of this  
8 document, which is March 9, 1966.  
9 MR. RANDOLPH: And the question is what  
10 again?  
11 MR. STRUBBE: Whether or not Delta Disposal  
12 serviced any accounts within the village of  
13 Gurnee.  
14 BY THE WITNESS:  
15 A. I don't believe they did.  
16 BY MR. STRUBBE:  
17 Q. Again I'd like to direct your attention  
18 to the language on the third line of the first  
19 "Whereas" paragraph of Page 1 of Exhibit 47 where  
20 it reads, and I quote, "In and near the Village of  
21 Gurnee," end quote.  
22 I'd ask if that language helps refresh  
23 your recollection that prior to March 9th, 1966  
24 Delta Disposal serviced accounts in the village of

1 Gurnee.  
 2 MR. RANDOLPH: Object to the form of the  
 3 question. I don't think he testified he needs  
 4 refreshing of his recollection.  
 5 BY THE WITNESS:  
 6 A. I don't recall.  
 7 BY MR. STRUBBE:  
 8 Q. So you just don't know one way or  
 9 another.  
 10 A. That's right.  
 11 Q. You talked a little bit about how Jensen  
 12 at some point in the sixties picked up the waste  
 13 from your home in Gurnee.  
 14 Do you remember that?  
 15 A. Yes.  
 16 Q. You stated that you thought that Jensen  
 17 brought all the waste that it had picked up from  
 18 Gurnee to the Yeoman Creek Landfill.  
 19 Do you recall that?  
 20 A. Yes, I do.  
 21 Q. How do you know that?  
 22 A. It was closer for him, and I believe  
 23 that's what he would do, and we saw his truck come  
 24 in there.

1 Q. Okay. You saw Jensen Disposal trucks at  
 2 the Yeoman Creek Landfill, correct?  
 3 A. Yes.  
 4 Q. At those times when you saw Jensen  
 5 Disposal trucks at the landfill, did you know from  
 6 where they were bringing the waste specifically?  
 7 A. No. I did not follow the truck on the  
 8 route, but we could only assume that it came in  
 9 with a load of garbage, and we knew they picked up  
 10 in the Gurnee area. Where else would they -- they  
 11 certainly wouldn't bring it from Wauconda.  
 12 Q. Is it safe to say, then, that your  
 13 statement that Jensen brought all the waste from  
 14 Gurnee to Yeoman Creek is an assumption based on  
 15 what you understand to be economic considerations  
 16 of the cost of transporting that waste and dumping  
 17 it in Wauconda?  
 18 MS. CLOKEY: I'm going to object to that  
 19 question on the basis I think he has stated  
 20 additional bases for reaching the conclusion to  
 21 which he just testified.  
 22 BY MR. STRUBBE:  
 23 Q. Do you understand the question, Mr.  
 24 Kirkegaard?

1 A. Yes.  
 2 I would say that anybody that was a  
 3 reasonable businessman would bring it to the

4 closest landfill.  
5 Q. As you sit here today, do you know for  
6 certain that Jensen Disposal brought all of the  
7 waste that it collected from the Gurnee area into  
8 the Yeoman Creek Landfill?  
9 A. No.  
10 MR. STRUBBE: That's all I have got. Thanks.  
11 THE WITNESS: You're welcome.  
12 MR. RANDOLPH: Anyone else?  
13 MR. BOWMAN: I think I have just one  
14 question. Honest.  
15 MR. BOWMAN: Mr. Kirkegaard, my name is Jerry  
16 Bowman. We spoke before.  
17 MR. RANDOLPH: Is that a question?  
18 MR. BOWMAN: No, this doesn't count against my  
19 one question.  
20 FURTHER EXAMINATION  
21 BY MR. BOWMAN:  
22 Q. I want to show you what was previously  
23 marked Group Exhibit 41. I think Mr. Randolph  
24 showed that to you yesterday.



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., )  
Plaintiffs,) VOLUME I  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al.) Judge Leinenweber  
Defendants.) Magistrate Judge Rosemond

The deposition of JOHN VAN PROOYEN,  
called as a witness herein for examination, taken  
pursuant to the Federal Rules of Civil Procedure of  
the United States District Courts pertaining to the  
taking of depositions, taken before MELANIE JAKUS,  
a Notary Public within and for the County of  
DuPage, State of Illinois, and a Certified  
Shorthand Reporter of said state, at Suite 6600,  
233 South Wacker Drive, Chicago, Illinois, on the  
26th day of October, A.D. 1993, at 9:30 a.m.

1           A.     That is correct.  
2           Q.     Okay. But the other accounts that you  
3 have identified though were accounts at the time  
4 you took over.  
5           A.     To the best of my knowledge, yes.  
6           Q.     Okay. Did National have any paint  
7 stores as clients or customers during the time you  
8 were district manager?  
9           A.     I don't know.  
10          Q.     In the operation of the landfill, you  
11 accepted waste brought in by other hauling or  
12 garbage companies, right?  
13          A.     That is correct.  
14          Q.     Do you remember which companies brought  
15 in waste to the landfill at the time you were  
16 district manager?  
17          A.     There were several.  
18          Q.     Can you tell us which ones you recall?  
19          A.     Well, of course, Waukegan Disposal,  
20 which was Kirkegaard, John Sisson, Century, Jensen,  
21 Obenauf. There's more.  
22          Q.     How about D & L?  
23          A.     D & L.  
24          Q.     Any others?

1 A. The best that I can recall John Sisson  
2 was probably one load a day. I'm quite certain he  
3 had either a 16 or 17 yard packer truck.  
4 Q. Okay. To the best of your recollection,  
5 how much waste did Obenauf bring to the landfill?  
6 MR. RANDOLPH: Now are we talking Obenauf as  
7 Obenauf or Obenauf Companies?  
8 MR. VARICK: It is more complicated. You're  
9 absolutely right.  
10 BY MR. VARICK:  
11 Q. I asked you before to identify the  
12 haulers, and among the haulers you identified were  
13 two, Jensen and Obenauf.  
14 A. Yes.  
15 Q. Okay. In your mind, those are  
16 separate.  
17 A. I knew them as one.  
18 Q. Okay.  
19 A. Obenauf operated his own landfills, and  
20 I cannot pin down any certain amounts because I  
21 think when he dumped at Yeoman Creek was when it  
22 was just too far for him to drive to his own  
23 landfill.  
24 Q. You understood he had a landfill in

1 Wauconda.  
2 A. He was not a regular daily customer, but  
3 his trucks were there quite often.  
4 Q. When you say that, do you mean Obenauf  
5 as Obenauf, as well as Jensen?  
6 A. To me, they are one.  
7 Q. Okay. That's fine.  
8 How about D & L? How much waste on a  
9 daily or weekly basis do you recall D & L bringing  
10 in?  
11 A. Not more than a load a day, to the best  
12 of my knowledge.  
13 Q. What size truck did D & L run?  
14 A. It was single axle so I believe it would  
15 either be a 16 or 17 yard compactor truck.  
16 Q. Did you understand Dutton to be  
17 different from D & L?  
18 A. Yes.  
19 Q. Okay. How much during the period of  
20 time that you were district manager at the Yeoman  
21 Creek site did Dutton bring in?  
22 A. I think that was kind of sporadic also.  
23 I really don't remember.  
24 Q. Okay. You understand all these

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME II  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

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October 27, 1993  
9:30 a.m.

The deposition of JOHN VAN PROOYEN  
resumed pursuant to adjournment at Suite 6600, 233  
South Wacker Drive, Chicago, Illinois.

1 A. I can't recall that.  
 2 Q. Do you know who the hauler for the  
 3 News-Sun was?  
 4 A. I would have to guess.  
 5 Q. Okay. Was North Shore Sanitary District  
 6 ever a customer of National Disposal?  
 7 A. I don't remember that either.  
 8 Q. So you don't recall during your week  
 9 with Mr. Powles ever going to --  
 10 A. I can't picture that site at all. I  
 11 don't remember anything about it.  
 12 Q. Okay. Would you know who would have  
 13 hauled for North Shore Sanitary District?  
 14 A. I don't know.  
 15 MR. YORK: Okay. I don't have any other  
 16 questions.  
 17 MR. STRUBBE: Mr. Van Prooyen, my name is Joe  
 18 Strubbe. I represent Jensen Disposal.  
 19 EXAMINATION  
 20 BY MR. STRUBBE:  
 21 Q. You were asked yesterday some questions  
 22 about other haulers that used the site, the Yeoman  
 23 Creek Landfill, while you were manager of the  
 24 Waukegan district.

1 Do you recall that?  
 2 A. Yes.  
 3 Q. You indicated that Jensen or Obenauf  
 4 dumped waste at the Yeoman Creek site, and I  
 5 believe you said that in your mind Jensen and  
 6 Obenauf were one in the same.  
 7 Do you recall saying that?  
 8 A. To the best of my knowledge, there is a  
 9 definite connection, but to what extent, I don't  
 10 know.  
 11 Q. Did you ever see Jensen or Obenauf  
 12 trucks unloading at the Yeoman Creek Landfill?  
 13 A. Yes, I did.  
 14 Q. Could you describe those trucks?  
 15 A. To the best of my recollection, the  
 16 Jensen trucks were blue. Obenauf is a man of many  
 17 different colors, to the best of my knowledge. I  
 18 don't know.  
 19 MR. BECK: I apologize. I was talking.  
 20 Could I have that answer back?  
 21 (WHEREUPON, the record was read  
 22 by the reporter as requested.)  
 23 BY MR. STRUBBE:  
 24 Q. Do you recall seeing trucks with

1 markings or writing on them that identified those  
 2 trucks as Obenauf?  
 3 A. To the best of my knowledge, yes.

4 Q. Do you recall what color or colors those  
5 trucks were?  
6 A. To the best of my knowledge, Jensen was  
7 blue, but I believe John Obenauf had some white  
8 ones. Like I say, he had many. Every operation I  
9 think was a little bit different. I really don't  
10 know.  
11 Q. Okay. The blue Jensen trucks, did they  
12 have identifying marks?  
13 A. I can't recall whether they had a name  
14 on there, but when they came in, I know they were  
15 Jensen.  
16 MR. RANDOLPH: Excuse me one second.  
17 (WHEREUPON, discussion was had  
18 off the record between the witness  
19 and Mr. Randolph outside the  
20 hearing of other counsel and the  
21 court reporter.)  
22 THE WITNESS: They were --  
23 MR. RANDOLPH: There is no question pending.  
24 That's okay.

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1 BY MR. STRUBBE:  
2 Q. You were about to say something,  
3 Mr. Van Prooyen.  
4 MR. RANDOLPH: He was about to say ask your  
5 next question, I think.  
6 BY MR. STRUBBE:  
7 Q. Do you recall the manufacturer or size  
8 of the blue Jensen trucks that you saw at the  
9 landfill?  
10 A. To the best of my knowledge, the Jensen  
11 were of a single-axle type, which would make me  
12 believe they were either 16 or 17-yard trucks.  
13 Q. Was that a packer truck?  
14 A. A packer-type truck.  
15 Q. Do you know how many different blue  
16 Jensen trucks were being operated or used at the  
17 landfill?  
18 A. To the best of my knowledge, two.  
19 Q. Can you tell me the basis for your  
20 belief that there were two Jensen trucks?  
21 A. I believe that on an occasion I had seen  
22 two of them come in together and, also, by the  
23 number of tickets that we would write.  
24 Q. What is it about the number of tickets

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1 that you would write that led you to believe there  
2 were two different trucks?  
3 A. It wasn't that as much as it was that I  
4 saw -- I know I had seen two of them there at one  
5 time.  
6 Q. Would these tickets indicate an

7 identifying number or serial number --  
8 A. No.  
9 Q. -- for each truck?  
10 A. Serial number of the truck, no, it would  
11 not.  
12 Q. Nor would it indicate some type of  
13 identifying number for the truck.  
14 A. The only identification there would be  
15 would be the driver's signature, and Laddie would  
16 have that.  
17 Q. Do you recall any of the names of the  
18 drivers of the blue Jensen trucks?  
19 A. No, I do not.  
20 Q. I believe you indicated yesterday that  
21 Jensen was not a regular customer of the landfill,  
22 or I think you said not a regular daily customer.  
23 Do you recall saying that?  
24 A. To the best of my knowledge, I did not

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1 recall seeing trucks every day from Jensen. It was  
2 kind of sporadic.  
3 Q. Can you give me an idea of how often you  
4 would see the blue Jensen trucks using the Yeoman  
5 Creek Landfill?  
6 A. No, I can't remember that.  
7 Q. Was it more than once a month do you  
8 think?  
9 A. Yes, I would say definitely more than  
10 once a month.  
11 Q. How about more than once a week?  
12 A. I don't know. If you're trying to get  
13 me down to daily, I don't know.  
14 MR. RANDOLPH: Just answer the question.  
15 THE WITNESS: Sorry.  
16 MR. RANDOLPH: Joe, we have been at it again  
17 over an hour. Can we take a short break whenever  
18 you get a chance? This might be the last time  
19 before lunchtime then.  
20 MR. STRUBBE: Sure.  
21 MR. RANDOLPH: Would this be a good  
22 opportunity?  
23 MR. STRUBBE: Okay.  
24 (WHEREUPON, a recess was had.)

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1 BY MR. STRUBBE:  
2 Q. Mr. Van Prooyen, before the break, I had  
3 asked you about the frequency with which you  
4 observed the blue Jensen Disposal trucks utilizing  
5 the Yeoman Creek Landfill. I'd like to ask you  
6 that same question with regard to the Obenauf  
7 trucks of whatever color.  
8 Can you give me an idea or a number how  
9 many times a month or a week?

10 A. No, I cannot.  
11 Q. Do you think you saw Obenauf trucks at  
12 the landfill more than once a month?  
13 A. I can just remember that I have seen an  
14 Obenauf truck in that landfill. I do not know how  
15 many times.  
16 Q. You had stated yesterday that you  
17 thought Jensen and/or Obenauf operated their own  
18 landfill. Do you recall that?  
19 A. I know specifically that John Obenauf  
20 had a landfill in Wauconda. What other ones he  
21 had, I do not know.  
22 Q. Do you know whether or not Jensen trucks  
23 would dump their waste at that landfill in Wauconda  
24 during the time that you were manager of the

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1 Waukegan district?  
2 A. I have no idea where they went other  
3 than our landfill.  
4 Q. Does the same hold true for Obenauf  
5 trucks?  
6 A. Yes. I have no idea where he would go.  
7 Q. Do you recall whether the frequency with  
8 which you saw the blue Jensen trucks at the Yeoman  
9 Creek Landfill changed during the time that you  
10 were the manager of the Waukegan district?  
11 A. I don't recall any changes.  
12 Q. I just asked you about the frequency  
13 that you saw Jensen trucks at the landfill. In  
14 addition to seeing trucks at the landfill, you  
15 would review tickets which indicated when Jensen  
16 trucks or how often Jensen trucks utilized the  
17 landfill, is that correct?  
18 A. I presume I did. I went through  
19 tickets, but I still don't remember how many times  
20 he was there.  
21 Q. Okay. Do you recall whether or not the  
22 frequency with which Jensen trucks used the  
23 landfill, based on either your sighting of those  
24 trucks or on your review of the tickets, changed at

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1 any time while you were the manager of the Waukegan  
2 district?  
3 A. I do not remember that.  
4 Q. Do you know whether the blue Jensen  
5 trucks utilized the Yeoman Creek Landfill before  
6 the time that you became manager of the Waukegan  
7 district?  
8 A. I don't know.  
9 Q. How about Obenauf trucks? Do you know  
10 whether they utilized the landfill?  
11 A. I don't know.  
12 MR. RANDOLPH: Used the landfill before he



13 became district manager?  
14 MR. STRUBBE: Right.  
15 BY MR. STRUBBE:  
16 Q. You don't know.  
17 A. No, I do not.  
18 Q. Do you have any knowledge of the  
19 accounts serviced by the Jensen trucks or the  
20 routes run by the Jensen trucks during the time  
21 that you were manager of the Waukegan district?  
22 A. No, I do not.  
23 Q. I take it, then, you don't know of the  
24 origin of any of the waste which was dumped at the

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1 Yeoman Creek Landfill by the Jensen trucks.  
2 A. That is correct. I do not.  
3 Q. So you don't know whether it was from  
4 commercial or residential or industrial accounts.  
5 A. I do not.  
6 Q. I think you said you saw the blue Jensen  
7 trucks unloading on occasion at the landfill, is  
8 that correct?  
9 A. I would say so, yes.  
10 Q. Are you able to describe what the waste  
11 was comprised of?  
12 A. I don't remember that.  
13 Q. Did anyone ever tell you what type of  
14 waste was being dumped at the Yeoman Creek Landfill  
15 by Jensen trucks?  
16 A. I don't remember that.  
17 Q. As part of your job as manager of the  
18 Waukegan district, you prepared summaries of the  
19 yardage tickets that were issued to each hauler as  
20 they entered the landfill, is that correct?  
21 A. That's correct.  
22 Q. Did you prepare separate summaries for  
23 Jensen Disposal and Obenauf Disposal or other  
24 Obenauf-related companies, if you recall?

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1 A. I can't recall whether it was billed to  
2 two different places or not. I just don't remember  
3 that.  
4 Q. Can you recall a typical monthly yardage  
5 of waste that was dumped at the landfill by Jensen  
6 Disposal while you were manager of the Waukegan  
7 district?  
8 A. No, I do not remember.  
9 Q. I'd like you to look real quickly at  
10 Exhibits 61, 62 and 66, which are various contracts  
11 between the city of Waukegan and Barrington  
12 Trucking and National Disposal, and I'd like you to  
13 look at Paragraph 9 of each exhibit. I think I can  
14 ask you one question for all three exhibits.  
15 Based on Paragraph 9 --

16 A. Would that be on YC622, Paragraph 9? Am  
17 I in the right place?  
18 Q. I don't have the exhibit in front of  
19 me.  
20 A. Paragraph 9.  
21 Q. I believe the paragraph on each exhibit  
22 is captioned "Method of Disposal."  
23 A. "Method of Disposal." I have that  
24 paragraph. All of Paragraph 9 or only (a)?

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1 Q. Just (a). I think you can just look at  
2 it briefly and, if need be, we can let you read it  
3 in more detail later.  
4 MR. RANDOLPH: Why don't you give him your  
5 question. He may then take time to read it in  
6 response, but go ahead.  
7 BY MR. STRUBBE:  
8 Q. All right. My first question is: Were  
9 you involved in any way in negotiating Exhibit 61,  
10 62 or 66?  
11 A. No, I was not.  
12 Q. I take it, then, you were not involved  
13 in negotiating the language or the provisions of  
14 Paragraph 9 of either Exhibit 61, 62 or 66.  
15 A. That is correct.  
16 Q. Do you know who was involved, if anyone,  
17 in negotiating Paragraph 9 of Exhibits 61, 62 and  
18 66?  
19 A. To the best of my knowledge, that would  
20 have been Peter Vanderveld or John Vander -- one of  
21 the Vandervelds.  
22 Q. Did you ever have any discussions with  
23 Peter or John Vanderveld regarding Paragraph 9 or  
24 the provisions of Paragraph 9 for either of these

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1 exhibits?  
2 A. Repeat the question, please.  
3 Q. Let me try it a different way.  
4 Do you recall having any discussions  
5 with Peter or John Vanderveld regarding the  
6 provisions contained in Paragraph 9 of Exhibits 61,  
7 62 or 66?  
8 A. Is this regarding the bidding of this  
9 contract --  
10 Q. Well, regarding the --  
11 A. -- or the preparation of the bids?  
12 Q. Regarding the contents of Paragraph 9,  
13 which provide for the method of disposal.  
14 A. Not prior to the issuance of the  
15 contract.  
16 Q. Okay. I take it, then, you don't know  
17 whether Paragraph 9 was included at the request of  
18 one of the Vandervelds or at the request of someone

19 on behalf of the city of Waukegan.  
20 A. I don't know.  
21 MR. STRUBBE: That's all I have got. Thanks.  
22 MS. PICKER: Mr. Van Prooyen, my name is  
23 Christine Picker, and I represent the city of North  
24 Chicago, as well as North Chicago Refiners &

STATE OF ILLINOIS     )  
                              )   SS:  
COUNTY OF LAKE         )

AFFIDAVIT OF VERNON T. LADEWIG, JR.

I, Vernon T. Ladewig, Jr. having first been duly sworn upon oath, do hereby depose and state as follows:

1. I have personal knowledge of the facts set forth in this affidavit and would be competent to testify thereto.

2. I reside at 1341 Eastview Drive, Waukegan, Illinois 60085.

3. From 1964 to 1970 I was employed by the Waukegan Disposal Company. During 1968 through 1970 I worked for Waukegan Disposal Co. full time. Prior to that time, for about four years, I worked part-time. My duties included driving a garbage truck, picking up waste from commercial customers, and hauling the waste to whatever dump site Waukegan Disposal was using at the time. For the first month or so that I worked for Waukegan Disposal, we used the landfill that is now Edwards Field. When it filled up and closed we changed to the Yeoman Creek Landfill in Waukegan, Illinois for disposal. Sometime in 1969, Waukegan Disposal stopped using the Yeoman Creek Landfill.

4. Except where indicated otherwise in my testimony below, all customers' waste was picked up from one-yard dumpsters which the customers kept outside of their buildings. These dumpsters routinely contained a variety of materials including paper, metal, rags, wood -- basically all the wastes the customer generated except those disposed down a sewer.

Globe Department Store\*  
Kalva Corp.  
Musicland downtown  
National Bisquit\*  
Waukegan Jack Donelson beer distributor  
Buehler's Food\*  
Chuck Hine's\*  
Gold Standard Liquors  
King's Furniture  
Lake County Office Supply  
Leath Furniture\*  
Little Fort Restaurant  
Mordhorst Transfer & Storage  
Narrod Movers  
Open Pantry  
Polk Bros.\*  
Chas. J. Sach's\*  
Sample Furniture\*  
7-11 Food Store\*  
Tee-Pee Liquors  
Walgreens  
White Hen Pantry  
Woolworths

33. Other haulers that used the Yeoman Creek

Landfill included:

National Disposal  
Dutton Disposal  
North Chicago Disposal  
T&K Disposal  
Jensen Disposal  
Mundelien Disposal  
Obenhuaf Disposal  
AA Disposal  
Sisson Disposal  
Libertyville Disposal  
S&S Disposal

34. Abbott Laboratories trucks regularly hauled their own wastes to Yeoman Creek Landfill during the years I worked for Waukegan Disposal.

35. Reliance Varnish of North Chicago was a customer of Dutton Disposal. Whenever Dutton's trucks broke down, Waukegan Disposal picked up from Dutton's customers who could

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

In Re the Matter of:

YEOMAN CREEK

)  
)  
)  
)

The discovery deposition of CARL  
BECH, taken in the above-entitled cause, before  
Maria Miramontes, C.S.R., a Notary Public within  
and for the County of Cook and State of Illinois  
at 111 West Jackson Street, Third Floor,  
Conference Room C, Chicago, Illinois, on October  
25th, 1989, at the hour of 10:00 o'clock a.m.

BAKER, FENNELL & ASSOCIATES, INC.

318 W RANDOLPH ST. SUITE 400  
CHICAGO, ILLINOIS 60606  
(312) 346-4179  
OUTSIDE ILLINOIS CALL 1-800-443-7108

REPORTED BY: MARIA MIRAMONTES, CSR

1 of all this myself.

2 And what was his situation -- his  
3 position in the company?

4 A Who?

5 Q Ole.

6 A Ole, he was a driver just like I was. The  
7 difference was he was a brother of Peter Kirkegaard.

8 Q When you were hauling waste to the Yeoman  
9 Creek Landfill, did you see any other haulers  
10 disposing of waste there?

11 A Yes.

12 Q Can you recall who they were?

13 MS. SHARKEY: Can you clarify the period that  
14 you are talking about?

15 BY MR. HERSH:

16 Q Again, the entire time period from 1965  
17 until you stopped going to the Yeoman Creek Landfill  
18 in 1969.

19 A Jensen Disposal, Openhauf Disposal  
20 (phonetic), National Disposal. Do I have to name  
21 them other two?

22 Q Uh-huh.

23 A Waukegan Disposal, Delta Disposal, Zizo,  
24 Peter Fargaard, John Sisson, Sisson, yeah, Sisson.

1 Q Do you recall North Chicago Disposal?

2 A Yes.

3 Q They -- were they hauling waste to the  
4 Yeoman Creek Landfill?

5 A To my recollection, they weren't even in  
6 business at that time.

7 Q Do you recall Libertyville Disposal?

8 A I have heard of them, yes.

9 Q Did they haul waste to the Yeoman Creek  
10 Landfill?

11 A I don't think so.

12 Q Do you recall --

13 MR. HERSH: Check the list he gave us so we  
14 don't --

15 MR. BOICE: Is this it?

16 MR. HERSH: Yeah.

17 BY MR. HERSH:

18 Q I believe in the list that you gave us you  
19 talked about Jensen Disposal. Would you happen to  
20 know who their clients may have been, who they took  
21 their trash from?

22 A Mostly, at that time, homes.

23 Q When you talk about that time being 1965?

24 A I would -- to my recollection, that's all



1           they hauled.

2           Q     Did they have any noncompacting trucks?

3           A     I do not remember.

4           Q     Do you recall Century Disposal Service,  
5           Century Scavenger Service?

6           A     Yes.

7           Q     Did they take waste material, to your  
8           knowledge, to the Yeoman Creek Landfill?

9           A     Yes.

10          Q     Do you know who they may have taken waste  
11          from, who their clients would have been?

12          A     Can I have five minutes?

13          Q     Absolutely.

14          MR. HERSH: We are off the record. We'll take a  
15          break.

16                               (WHEREUPON, a short break was had  
17                               after which said deposition  
18                               continued as follows:)

19          MR. HERSH: Back on the record.

20          BY MR. HERSH:

21          Q     We are now back on the record. And before  
22          we start the next round of questions, I just want it  
23          to be clearly reflected in the record that this  
24          deposition is in lieu of responses by -- well, in

1 Q And do you have any knowledge as to what  
2 kind of waste they may have hauled?

3 A They hauled from Chicago Rubber. And I  
4 think he hauled from Fansteel in Glen Rock.

5 MR. BOICE: Which Fansteel?

6 THE WITNESS: The one on Glen Rock.

7 BY MR. HERSH:

8 Q Do you know what time period that was?

9 A I have no idea.

10 Q Did you have any opportunity to observe  
11 that waste material whether it be at the landfill or  
12 anywhere else?

13 A No.

14 Q Did you ever see their trucks at the  
15 landfill?

16 A John Sisson's trucks?

17 Q Uh-huh.

18 A Yes.

19 Q Jensen Disposal you discussed earlier as a  
20 company that brought waste material to the Yeoman  
21 Creek Landfill. Do you know who -- what type truck  
22 they utilized?

23 A They have a garbage truck, compacted.

24 Q They did not have a noncompacting truck?

1           A     I don't remember.

2           Q     Midland Division of the Dexter Company, do  
3     you recall them?

4           A     I know they are there, yes.

5           Q     When you say, "they are there," what do you  
6     mean?

7           A     I know that the manufacturer Dexter Midland  
8     is there.

9           Q     Okay. Do you know whether they had any  
10    waste taken to the Yeoman Creek Landfill?

11          A     I do not remember who hauled for them at  
12    that time.

13          Q     You don't remember who hauled --

14          A     Who hauled them, no.

15          Q     Okay. Do you know -- do you have any  
16    recollection as to what type of a truck would have  
17    hauled their waste, compacting or noncompacting?

18          A     I don't have any idea because I don't  
19    remember who.

20          Q     Do you recall Northern Waste Control  
21    Company?

22          A     I never heard of them.

23          Q     Okay.

24          A     Where are they supposed to have been?

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY •  
REGION V

In Re the Matter of: )

YEOMAN CREEK )  
)  
)

The discovery deposition of HENRY  
GEORGE TEWES, JR., taken in the above-entitled  
cause, before Maria Miramontes, C.S.R., a Notary  
Public within and for the County of Cook and State  
of Illinois at 111 West Jackson Street, Third  
Floor, Conference Room AB, Chicago, Illinois, on  
March 23, 1989, at the hour of 10:00 o'clock a.m.

BAKER, FENNELL & ASSOCIATES, INC.

318 W. RANDOLPH ST., SUITE 600

CHICAGO, ILLINOIS 60606

(312) 944-4179

OUTSIDE ILLINOIS CALL 1-800-443-7108

REPORTED BY: MARIA M. MIRAMONTES, CSR

1     there?

2           A     That would be just a guess, but I would say  
3     three or four loads a day.

4           Q     All right. How about Little Disposal?

5           A     Little Disposal. The name rings a bell. I  
6     can't answer whether he hauled there when I was there  
7     or not.

8           Q     How about Jensen Disposal?

9           A     Jensen Disposal, yes.

10          Q     And what was the nature of his disposal  
11     materials?

12          A     Mainly residential because he was -- he picked  
13     up on the outskirts of Waukegan like Delta Disposal  
14     did. Other than that, I have no idea what he picked  
15     up.

16          Q     What was his full name, do you know?

17          A     No, because I don't think there was a Jensen  
18     at that time. It had been sold.

19          Q     Do you know who the driver was?

20          A     No, no. I believe Openhauf (phonetic) bought  
21     them out, but I am not positive.

22          Q     Openhauf?

23          A     Yeah. Don't ask me how to spell it..

24          Q     All right. And how many loads per day would

K-Mart Corp.

### SUMMARY FOR K-MART CORPORATION

During the late 1950s and early 1960s, K-Mart Corporation operated a Kresge store in downtown Waukegan on Genesee Street. In approximately 1965, K-Mart moved this operation to Belvedere Street and changed its name to K-Mart. (Ole Kirkegaard 639; Peder Kirkegaard 677-778)

K-Mart was a customer of Waukegan Disposal at both of these retail locations. From its downtown location, K-Mart disposed of waste on a daily basis in four to eight 30-gallon garbage cans, plus a number of boxes. (Ole Kirkegaard 640-641) Its waste consisted primarily of corrugated cardboard and food waste. (Ole Kirkegaard 640) All of the waste from this store was hauled to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 640)

The K-Mart store which opened on Belvedere Street in approximately 1965 was also a customer of Waukegan Disposal. K-Mart operated both a retail outlet and an automotive center at this facility. (Ole Kirkegaard 755)

Waukegan Disposal picked up waste at the automotive center three times per week. This waste, which was placed in four 55-gallon drums, consisted of empty oil and fluid cans, and various used auto parts, including hoses, tires, mufflers, batteries, spark plugs, brake shoes, and oil and air filters. (Ole Kirkegaard 753-754, 756)

Waukegan Disposal picked up waste from K-Mart's retail store on Belvedere Street on a daily basis. (Ole Kirkegaard 756) Mr. Kirkegaard described this waste as similar to the waste he picked up from Montgomery Ward's automotive center. This waste included corrugated cardboard, office waste, and empty paint cans. (Ole Kirkegaard 757) K-Mart initially placed this waste in a number of 55-gallon drums; later, it used a six-yard ground container. (Ole Kirkegaard 756-57)

In summary, K-Mart arranged for the disposal of at least a total of 2,011 cubic yards of waste per year at the Site for all of its locations combined from approximately 1962 to 1969. (Ole Kirkegaard 640, 754-757)

The following issues should be addressed in the Allocation Counsel's investigation:

1. Determine the nature and volume of all waste paints and paint residues disposed of by K-Mart during the relevant time period.

2. Determine the components of K-Mart's waste stream during the relevant time period.

3. Determine the nature and volume of each component in K-Mart's waste stream during the relevant time period.

157468.1



Deposition Excerpts

K-Mart Corp.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL           )  
5 DISTRICT NO. 60, et al.,            ) V. IV  
6                   Plaintiffs,        )  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.,        ) Judge Leinenweber  
9                   Defendants.         ) Magistrate Judge Rosemond  
10  
11                   August 17, 1993  
12                   9:30 a.m.  
13  
14                   The deposition of OLE KIRKEGAARD resumed  
15 pursuant to adjournment at Suite 6600, 233 South  
16 Wacker Drive, Chicago, Illinois.  
17  
18  
19  
20  
21  
22  
23  
24

1 A. Once in a while there was some liquid in  
2 some of the pails.  
3 Q. Where was the waste from Chicago Rubber  
4 taken?  
5 A. To Yeoman Creek or Edwards Field.  
6 Q. Do you recall that there was a Kresge  
7 store in downtown Waukegan during the 1960s?  
8 A. Yes.  
9 Q. Where was that located?  
10 A. On Genesee Street, south Genesee Street.  
11 Q. Was that a retail operation, Kresge?  
12 A. Yes.  
13 Q. Do you recall who hauled waste for  
14 Kresge at that location?  
15 A. Waukegan Disposal Service.  
16 Q. Do you recall whether this was  
17 throughout the whole 1960s or a portion of the  
18 sixties?  
19 A. Through the whole sixties.  
20 Q. Was Kresge in that downtown location  
21 throughout the 1960s?  
22 A. No. They were there early sixties, and  
23 then later on they moved out of that location to a  
24 new location.

1 Q. In what name did they do business at the  
2 new location, if you remember?  
3 A. K-Mart.  
4 Q. Where was that location?  
5 A. West Belvidere Street.  
6 Q. Did Waukegan Disposal continue to handle  
7 K-Mart's waste at that location?  
8 A. Yes.  
9 Q. Now, let's focus on the Kresge store  
10 downtown during the early 1960s.  
11 What route was that on for Waukegan  
12 Disposal?  
13 A. The downtown route.  
14 Q. Did you personally have responsibility  
15 for handling their waste on that route during that  
16 period?  
17 A. Yes.  
18 Q. Could you describe physically the layout  
19 of the area in which you picked up their waste?  
20 A. They had all the trash on ground level  
21 outside the building in the alley, and we picked it  
22 up early in the morning.  
23 Q. Where was the alley in relation to the  
24 building?

1 A. Behind the building.  
2 Q. What type of containers did they keep

3 their trash in?  
4 A. They had a bunch of small cans,  
5 32-gallon cans, and they also had boxes setting  
6 next to the cans.  
7 Q. How many cans on a typical day?  
8 A. Anywhere from four to eight cans.  
9 Q. How many days per week did you pick up  
10 Kresge?  
11 A. That was daily pickup.  
12 Q. Do you recall what type of waste was in  
13 the 32-gallon garbage cans?  
14 A. They had corrugated, restaurant food,  
15 that sort of thing.  
16 Q. Okay. Do you recall whether there was  
17 any specific individual you dealt with at Kresge?  
18 A. No.  
19 Q. Okay. Where was the waste from Kresge  
20 delivered?  
21 A. It went to Yeoman Creek.  
22 Q. Do you recall there was a Mobil gas  
23 station in downtown Waukegan during the 1960s?  
24 A. Yes.

1 doors. During the day, they had filled it up from  
2 one end to the other, loose stuff, inside up to the  
3 ceiling.

4 Q. Would you have to get in the trailer and  
5 actually lift it out by hand?

6 A. We backed up to the trailer and then we  
7 start shoveling it into the truck.

8 Q. What kind of materials?

9 A. Hundred type of things. There was  
10 corrugated, parts for this and that and broken  
11 clothing and pallets and paint cans with paint in  
12 it and pallets and lots of stuff.

13 Q. Did Montgomery Ward have an automotive  
14 shop at that location in Belvidere Mall?

15 A. Yes, they did.

16 Q. Could you describe what kind of waste  
17 came from the automotive shop at Montgomery Ward?

18 A. The auto shop was just east of the  
19 retail store, and we picked up on the south side of  
20 the other store, of the building. They had a bunch  
21 of 55-gallon drums. We picked up auto parts,  
22 hoses, tires, quart, gallon oil cans, pints of  
23 power steering fluid and all kinds of brake parts,  
24 and mufflers we picked up, old mufflers and broken

1 battery or that type of thing.

2 Q. Do you recall spark plugs?

3 A. Spark plugs.

4 Q. Was the waste stream from the Montgomery  
5 Ward Automotive Center similar to or different than  
6 the waste from the service stations you described  
7 earlier?

8 A. I believe that was just about the same.

9 Q. What was the volume of waste you picked  
10 up at Montgomery Ward all total on a typical pickup  
11 when they were at Belvidere Mall?

12 A. For the automotive center or for the  
13 whole thing?

14 Q. For the whole thing.

15 A. Well, we had that 60-foot trailer which  
16 was full to the top just about every day, so you  
17 are talking -- I would say 15 to 20 cubic yard of  
18 garbage.

19 Q. Okay. What about from the automotive?

20 Did that include the automotive portion?

21 A. No.

22 Q. What about the automotive portion?

23 A. The automotive center had seven or eight  
24 55-gallon drums.

1 Q. How often did you pick up at Montgomery  
2 Ward?  
3 A. Montgomery Ward's was six days a week.  
4 The auto center was three days a week, Monday,  
5 Wednesday, Friday.  
6 Q. Okay. Do you also recall that Sears  
7 relocated to that area?  
8 A. No.  
9 Q. I'm sorry. Do you recall that K-Mart  
10 relocated to that area?  
11 A. Yes.  
12 Q. Okay. The Kresge store.  
13 A. Yes.  
14 Q. Did you continue to pick up from the  
15 K-Mart?  
16 A. Yes.  
17 Q. How often?  
18 A. K-Mart was moved to Belvidere Street  
19 west of Green Bay Road on the north side, and we  
20 picked them up five days a week.  
21 Q. Do you recall where that waste went?  
22 A. Yeoman Creek.  
23 Q. What route was that on?  
24 A. That was on the Belvidere route.

1 Q. What kind of operation did K-Mart have  
2 at that location when it made its move?  
3 A. They had an auto center, too.  
4 Q. And a retail operation?  
5 A. Yes.  
6 Q. Could you describe the type of waste you  
7 picked up from the automotive center at the K-Mart  
8 store on Belvidere?  
9 A. I would say just about the same as I  
10 picked up at Montgomery Ward.  
11 Q. Okay. What was the volume there?  
12 A. They had four 55-gallon barrels.  
13 Q. Was that daily?  
14 A. That was Monday, Wednesday, Friday.  
15 Q. How about from the retail operation?  
16 How much waste did you pick up there?  
17 A. That was daily pickup. Picked up I  
18 would say about six to eight yards, sometimes ten  
19 yards a day.  
20 Q. What types of containers?  
21 A. They had drums to start with. Later on  
22 we put in a six cubic yard container.  
23 Q. What type of waste did you pick up from  
24 the retail center?

1 A. Corrugated. A lot of corrugated, office  
2 papers, and they had also some paint cans.

3 Q. Paint cans full, empty or in between?  
4 A. Empty ones.  
5 Q. Empty paint cans?  
6 A. Yes.  
7 Q. With liquid in the bottom or dry?  
8 A. Some of it was pretty moist.  
9 Q. Okay. How often were paint cans in the  
10 waste stream?  
11 A. I would say not very often. Maybe once  
12 a week.  
13 Q. Anything else you recall about the  
14 retail operation waste?  
15 A. No.  
16 Q. I have also asked you questions about  
17 dealerships, including Reed Randle and  
18 International Harvester dealership, and you  
19 described the waste stream.  
20 I'd ask you was the waste stream from  
21 those dealerships in any way similar to or  
22 different from the waste stream you have described  
23 from the service stations and from the two  
24 automotive centers of K-Mart and Montgomery Ward.

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1 A. Pretty similar to it because the reason  
2 is they did work on automobiles and so I would say  
3 yes.  
4 Q. Okay. I have already asked you  
5 questions about some poles, segments of utility  
6 poles that you picked up from Illinois Bell and  
7 Commonwealth Edison.  
8 Do you recall that?  
9 A. Yes.  
10 Q. I asked you if they were coated.  
11 Can you tell us what colors, if you  
12 recall, the coating was?  
13 A. They were cut in pieces three to four  
14 feet, and they were coated with some type of a coat  
15 of dark -- I don't recall the name on it.  
16 Q. Did it have an odor?  
17 A. Yes.  
18 Q. How did it smell?  
19 A. Strong.  
20 Q. Just to clarify, I think you testified  
21 about certain transmission fluids that were in the  
22 waste stream at Karry Brothers Transmission.  
23 Do you recall that?  
24 A. Yes.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond  
10  
11  
12                   October 21, 1993  
13                   9:40 a.m.  
14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23  
24



1           A.     It was on a -- no. It was on ground  
2 level, but it was right inside that door.  
3           Q.     That waste from Interstate Electric went  
4 to Yeoman Creek.  
5           A.     Yes.  
6           Q.     Do you remember doing business with  
7 Kresge or K-Mart?  
8           A.     Yes, I do.  
9           Q.     Let me first ask you if you remember  
10 doing business with a Kresge store in downtown  
11 Waukegan at any time.  
12          A.     I don't recall that.  
13          Q.     How about a K-Mart store on Belvidere?  
14          A.     Yes.  
15          Q.     Do you recall when that K-Mart became a  
16 customer of Waukegan Disposal?  
17          A.     It became a customer when the store was  
18 built.  
19          Q.     Do you recall approximately when that  
20 was?  
21          A.     It was in the mid to late sixties I  
22 would remember.  
23          Q.     Do you recall dealing with any specific  
24 individual?

1           A.     No, I don't.  
2           Q.     Did you pick up that waste on occasion?  
3           A.     Yes, I did.  
4           Q.     How frequently was it picked up?  
5           A.     I believe on a daily basis.  
6           Q.     Do you recall the type of containers  
7 that were utilized?  
8           A.     I don't.  
9           Q.     Do you remember the approximate volume  
10 of waste picked up from K-Mart?  
11          A.     I don't remember that either.  
12          Q.     Do you recall the location from which  
13 the pickups were made at that store?  
14          A.     In the back of the store.  
15          Q.     Was it a loading dock?  
16          A.     I don't believe it was.  
17          Q.     What do you recall about the nature of  
18 the waste from that store?  
19          A.     I don't remember very well about any of  
20 the waste on that particular store.  
21          Q.     Do you have any recollection of any  
22 automotive type waste from that store?  
23          A.     I don't quite recall if they had any.  
24          Q.     Okay. Do you recall how many locations

1     you picked up from that K-Mart store?

2           A.     No, I don't.  
3           Q.     Do you know where the waste from that  
4 K-Mart store would have gone prior to mid 1969?  
5           A.     It would have gone to the Yeoman Creek  
6 Landfill.  
7           Q.     Do you recall Waukegan Disposal doing  
8 business with the Lake County Hospital?  
9           A.     Yes.  
10          Q.     When did Lake County Hospital become a  
11 customer of Waukegan Disposal?  
12          A.     I believe in the early sixties.  
13          Q.     Do you recall who you dealt with there?  
14          A.     No, I don't.  
15          Q.     Where was that hospital located?  
16          A.     On Grand Avenue.  
17          Q.     Did it remain a customer of Waukegan  
18 Disposal throughout the 1960s?  
19          A.     Yes, it did.  
20          Q.     Did you on occasion pick up from that  
21 location?  
22          A.     Yes.  
23          Q.     Do you recall what type of containers  
24 were used by Lake County Hospital?

Karry Brothers Transmission  
Corp.

## SUMMARY FOR KARRY BROTHERS TRANSMISSION CORPORATION

Karry Brothers Transmission Corporation ("Karry Brothers") was in the business of selling and repairing transmissions during the relevant time period. (Ole Kirkegaard 693).

Waukegan Disposal handled the waste hauling for Karry Brothers throughout the 1960s. (Ole Kirkegaard 692-93). Karry Brothers stored its waste in four 55-gallon steel drums in an alley on the north side of its building. (Ole Kirkegaard 693).

The Karry Brothers waste included corrugated boxes, office waste, and a large amount of oil, transmission fluid and a red-tinted liquid. (Ole Kirkegaard 694). These liquids were loose in the bottom of the drums. (Ole Kirkegaard 694). Metal transmission and scrap parts were also frequently included in the Karry Brothers' waste. (Ole Kirkegaard 694). All of the waste from Karry Brothers was taken to the Edwards Field/Yeoman Creek landfills ("The Site") for disposal. (Ole Kirkegaard 694).

In summary, Karry Brothers arranged for the disposal of at least a total of 113 cubic yards of waste per year at the Site from approximately 1962 to 1969. (Ole Kirkegaard 692-694)

The following issues should be addressed in the Allocation Counsel's investigation:

1. Determine the components of Karry Brothers' waste stream during the relevant time period.
2. Determine the nature and volume of each component in Karry Brothers' waste stream during the relevant time period.

Karry Brothers Transmission Corp  
Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 A. Yes.  
2 Q. Was there any liquid at the bottom of  
3 their containers?  
4 A. Yes.  
5 Q. What did it look like?  
6 A. Greasy, oily type of thing.  
7 Q. What type of business was operated out  
8 of that facility by IH?  
9 A. They were selling trucks and did repairs  
10 on trucks, too.  
11 Q. Where did that waste go?  
12 A. It went to Yeoman Creek.  
13 Q. Do you recall a company called Karry  
14 Brothers Transmission?  
15 A. Yes.  
16 Q. Where was that located?  
17 A. Half a block east of the one we talked  
18 about.  
19 Q. Half a block east of the International  
20 dealership?  
21 A. Yes.  
22 Q. On what street?  
23 A. Belvidere Street.  
24 Q. Who handled their waste?

1 A. Waukegan Disposal Service.  
2 Q. Through what period of time?  
3 A. All the way in the sixties.  
4 Q. What route was that on?  
5 A. On the Belvidere route.  
6 Q. What type of business was Karry Brothers  
7 Transmission?  
8 A. It was selling transmissions and  
9 repairing transmissions.  
10 Q. Okay. How often did you pick up at that  
11 location?  
12 A. I believe that was twice a week.  
13 Q. Could you describe the area in which you  
14 picked up there?  
15 A. There was an alley on the north side of  
16 the building, and he had about four 55 gallon steel  
17 drums in the alley.  
18 Q. On the ground?  
19 A. On the ground level, yes.  
20 Q. Who did you deal with there?  
21 A. Karry. His name was Karry.  
22 Q. Okay.  
23 A. Yes.  
24 Q. Do you recall the type of waste that was

1 in those drums?

2           A.     Yes.  A lot of oil, transmission fluid  
3 and red-looking type of stuff.  
4           Q.     Red-looking liquid?  
5           A.     Liquid.  
6           Q.     Was the liquid loose in the bottom of  
7 the drums?  
8           A.     Yes.  
9           Q.     Okay.  What else do you recall?  
10          A.     Boxes and office papers.  
11          Q.     Do you recall any metal transmission  
12 parts, scrap parts that you saw in the waste?  
13          A.     Yes.  
14          Q.     How often would you see that?  
15          A.     Maybe once a month they had some of  
16 that.  
17          Q.     Where was their waste taken to?  
18          A.     Yeoman Creek.  
19          Q.     Do you remember a company called  
20 Gordon's Auto Parts?  
21          A.     Yes.  
22          Q.     Where were they located?  
23          A.     On Belvidere Street.  
24          Q.     Where in relation to Karry Transmission?



Lake County Hospital

### SUMMARY FOR LAKE COUNTY HOSPITAL

During the relevant time period, the Lake County Hospital ("The Hospital"), operated on Grand Avenue between Green Bay and McAree in Waukegan. (Ole Kirkegaard 749) This facility is now the Lake County Health Department. (Ole Kirkegaard 750)

The Hospital was a customer of Waukegan Disposal throughout the 1960's. (Peter Kirkegaard 679) The Hospital was on Waukegan Disposal's Grand Avenue route. (Ole Kirkegaard 750)

During the time Peder Kirkegaard was responsible for this account, he recalled the Hospital used two to three 30-gallon garbage cans to handle its waste. (Peder Kirkegaard 680) Because it was early in the morning and "very dark" when Mr. Kirkegaard picked up waste from the Hospital, he was not able to learn much about the nature of the waste. He did recall that the Hospital disposed of a large volume of kitchen waste. (Peder Kirkegaard 680)

Later, when Ole Kirkegaard handled this account, the Hospital used eight to twelve 55-gallon drums to handle its waste. (Ole Kirkegaard 750-51) At that time, the Hospital's waste included white bags with diapers and needles, and glass bottles with tubing. (Ole Kirkegaard 750-51) Waukegan Disposal picked up this trash at the Hospital 3 to 5 times per week. (Ole Kirkegaard 750; Peder Kirkegaard 681)

Both Ole and Peder Kirkegaard recalled that Waukegan Disposal also hauled a large volume of incinerator ash from the Hospital approximately twice per week. (Ole Kirkegaard 750, 751; Peder Kirkegaard 680) Employees of the Hospital emptied incinerator ash directly into eight to twelve 55-gallon drums which were then loaded onto the trucks of Waukegan Disposal. (Ole Kirkegaard 750; Peder Kirkegaard 680)

All of the waste from the Hospital, including the incinerator ash, was transported to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 751; Peder Kirkegaard 681)

In summary, the Hospital arranged for the disposal of at least a total of 395 cubic yards of waste per year at the Site from approximately 1964 to 1969. (Ole Kirkegaard 751; Peder Kirkegaard 679-681; Powles 352)

Lake County Hospital  
Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 well?  
2 A. Mostly in service stations that did  
3 service on cars.  
4 Q. As opposed to the gas stations?  
5 A. Yes.  
6 Q. You have also discussed brake shoes as  
7 an engine part.  
8 Were those found in only one service  
9 station or other service stations as well?  
10 A. Other service stations as well.  
11 Q. Who did you deal with at Fuller's  
12 Texaco?  
13 A. The owner of the station, Mr. Fuller  
14 himself, and his head mechanic. His name was  
15 Bernie.  
16 Q. Where did their waste go?  
17 A. It went to Yeoman Creek.  
18 Q. Do you remember picking up waste from  
19 Lake County Hospital?  
20 A. Yes.  
21 Q. Where was that located?  
22 A. On Grand. Between Green Bay and McAree  
23 Road on Grand, north side of Grand.  
24 Q. Is that still there?

1 A. The building is still there, yes.  
2 Q. Is it still the Lake County Hospital?  
3 A. No.  
4 Q. Who is the tenant of the building now?  
5 A. Lake County Health Department.  
6 Q. When was it the Lake County Hospital,  
7 during what period of time?  
8 A. During the sixties.  
9 Q. Did Waukegan Disposal handle their  
10 waste?  
11 A. Yes.  
12 Q. What route was it on?  
13 A. The Grand Avenue route.  
14 Q. Could you tell us what you would do when  
15 you went to pick up waste at that facility?  
16 A. Yes. They had trash location on the  
17 north side of the building behind the building, and  
18 they had a bunch of 55-gallon drums, steel drums.  
19 They also had an incinerator where we  
20 picked up the ashes from -- they shoveled the ashes  
21 into the 55-gallon drums. We picked the ashes up  
22 once a week, and all the other trash was picked up  
23 three times a week.  
24 They had a lot of white bags full of

1 diapers, and they had needles in them, and they had  
2 glass bottles with tubings on them and that type of

3 thing.  
4 Q. Okay. Approximately how many 55-gallon  
5 drums were there at Lake County Hospital that you  
6 picked up?  
7 A. They had anywhere from 8 to 12, I  
8 believe.  
9 Q. How many cans of ash would you pick up  
10 once a week?  
11 A. That all varied how much they got out of  
12 the incinerator, but I would say about four to five  
13 55-gallon.  
14 Q. Did you have to make any special  
15 arrangements to pick up waste at Lake County  
16 Hospital?  
17 A. No.  
18 Q. Where did that waste go?  
19 A. Yeoman Creek.  
20 Q. You have described waste picked up from  
21 both Montgomery Ward and Sears at their downtown  
22 retail locations. Do you recall that?  
23 A. Yes.  
24 Q. Do you recall -- let's start with

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond  
10  
11  
12                   October 21, 1993  
13                   9:40 a.m.  
14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23  
24

1 you picked up from that K-Mart store?  
2 A. No, I don't.  
3 Q. Do you know where the waste from that  
4 K-Mart store would have gone prior to mid 1969?  
5 A. It would have gone to the Yeoman Creek  
6 Landfill.  
7 Q. Do you recall Waukegan Disposal doing  
8 business with the Lake County Hospital?  
9 A. Yes.  
10 Q. When did Lake County Hospital become a  
11 customer of Waukegan Disposal?  
12 A. I believe in the early sixties.  
13 Q. Do you recall who you dealt with there?  
14 A. No, I don't.  
15 Q. Where was that hospital located?  
16 A. On Grand Avenue.  
17 Q. Did it remain a customer of Waukegan  
18 Disposal throughout the 1960s?  
19 A. Yes, it did.  
20 Q. Did you on occasion pick up from that  
21 location?  
22 A. Yes.  
23 Q. Do you recall what type of containers  
24 were used by Lake County Hospital?

1 A. Yes. They had several garbage cans from  
2 the kitchen, and they also had an incinerator where  
3 they would bring up ashes.  
4 Q. Okay. Let's talk about the garbage cans  
5 first.  
6 How many garbage cans were there, if you  
7 recall?  
8 A. Two or three.  
9 Q. Were those 30-gallon cans?  
10 A. Yes.  
11 Q. You say there was kitchen waste.  
12 A. Kitchen waste.  
13 Q. What types of materials would you find  
14 in kitchen waste generally?  
15 A. It was some very heavy material. It was  
16 like mostly water. That's how heavy it was.  
17 Q. Hospital food.  
18 A. Yes.  
19 Q. Anything else in the garbage cans  
20 besides the kitchen waste that you recall?  
21 A. I do not recall. It was very dark in  
22 the morning when we pick up that account so I could  
23 not remember.  
24 Q. Now, you also testified that they

1 disposed of ash, incinerator ash.



2 A. Yes.  
3 Q. What types of containers was the  
4 incinerator ash contained in?  
5 A. They were the same type of containers  
6 as --  
7 Q. Garbage cans.  
8 A. Yes.  
9 Q. Was that a different location at the  
10 hospital?  
11 A. Same location.  
12 Q. How many containers of incinerator ash  
13 were there?  
14 A. That would vary, but I would say two or  
15 three each time.  
16 Q. Each day?  
17 A. No. There was some days there was none,  
18 but maybe two or three a week.  
19 Q. I see.  
20 Was that a daily customer at Lake County  
21 Hospital?  
22 A. Yes.  
23 Q. Did that waste go to Yeoman Creek?  
24 A. Yes.

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1 Q. Directing your attention to Exhibit 3  
2 again, Page 8, you'll note about a quarter of the  
3 way down the page there's a notation for Lake  
4 County Hospital.  
5 A. Yes.  
6 Q. Do you see that?  
7 A. Yes.  
8 Q. Does that indicate that that hospital  
9 was still a customer of Waukegan in March 1972?  
10 A. Yes.  
11 Q. Was it your recollection that that  
12 hospital remained a customer continuously from the  
13 early sixties through at least March 1972?  
14 A. Yes.  
15 Q. Do you recall a company called  
16 Larsen & Petersen Paint Company?  
17 A. Yes, I do.  
18 Q. Was that a customer of Waukegan  
19 Disposal?  
20 A. Yes.  
21 Q. Located on Grand Avenue.  
22 A. Yes.  
23 Q. Do you recall who you dealt with at that  
24 location?

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME II  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond  
10  
11  
12                   September 29, 1993  
13                   9:40 a.m.  
14  
15                   The deposition of MARVIN LEROY POWLES,  
16 SR. resumed pursuant to adjournment at Suite 7200,  
17 233 South Wacker Drive, Chicago, Illinois.  
18  
19  
20  
21  
22  
23  
24

1 Q. How many?  
2 A. I believe only one.  
3 Q. Yard or dock container?  
4 A. Ground container.  
5 Q. What type of waste was in the container  
6 at Illinois National Guard?  
7 A. Basically some papers, but it was like  
8 garbage from the troops when they came there. They  
9 always produced some garbage, and it's just normal  
10 stuff.  
11 Q. Food type of garbage?  
12 A. Fluid?  
13 Q. Food?  
14 A. Food, yes. Food, paper wrappers.  
15 Q. How about Lake County Hospital, which is  
16 a location which subsequently became the Lake  
17 County Health Department? Do you recall who picked  
18 up waste from that location?  
19 A. I did.  
20 Q. On what route?  
21 A. On the commercial route.  
22 Q. Is that part of the first load that went  
23 to Yeoman Creek?  
24 A. Yes.

1 Q. What type of container or containers?  
2 A. One-yard container.  
3 Q. How many?  
4 A. One, I believe.  
5 Q. Was that a ground or a dock container?  
6 A. Ground.  
7 Q. Do you recall the nature of the waste in  
8 that container?  
9 A. Basically, all I remember was a lot of  
10 papers.  
11 Q. Anything else you recall about it?  
12 A. No.  
13 Q. How about Larsen & Petersen Paints? Do  
14 you recall that company?  
15 A. Yes.  
16 Q. Do you recall where they were located?  
17 A. Genesee Street, downtown Waukegan.  
18 Q. Did you pick up their waste?  
19 A. Yes.  
20 Q. On what route?  
21 A. On the commercial route.  
22 Q. What type of container did they use?  
23 A. They had their own garbage cans.  
24 Q. What volume?

1 BY MR. SEIDMAN:  
 2 Q. Is that correct?  
 3 A. What?  
 4 MR. RANDOLPH: I'm not sure. He said it's  
 5 just a plastic bag. He's not describing an  
 6 incident with a plastic bag. He's talking about  
 7 generally what he saw with plastic bags.  
 8 Do you understand the question?  
 9 THE WITNESS: Would you repeat it?  
 10 MR. SEIDMAN: Sure.  
 11 As a matter of fact, I'll skip it.  
 12 MR. RANDOLPH: Good.  
 13 BY MR. SEIDMAN:  
 14 Q. You referred to Lake County Hospital,  
 15 which later became Lake County Health Department,  
 16 and I believe you indicated they were part of your  
 17 commercial route, is that correct?  
 18 A. Yes.  
 19 Q. Were they part of your commercial route  
 20 the entire time that you were a driver on the  
 21 commercial route?  
 22 A. Wait a minute. No. I believe American  
 23 Hospital Supply came after.  
 24 MR. RANDOLPH: He's talking about Lake County

1 Hospital. He didn't say American Hospital Supply.  
 2 THE WITNESS: I guess I'm hard of hearing.  
 3 So what about Lake County Hospital?  
 4 BY MR. SEIDMAN:  
 5 Q. Was that part of the commercial route  
 6 when you were a commercial route driver?  
 7 A. Yes.  
 8 Q. Was Lake County Hospital on your route  
 9 the entire time you were a commercial route driver?  
 10 A. I don't remember.  
 11 Q. Was your stop at Lake County Hospital  
 12 part of the first load of the day?  
 13 A. Yes.  
 14 Q. How frequently did you go to Lake County  
 15 Hospital?  
 16 A. I don't remember.  
 17 Q. Was it daily or less than that or you  
 18 just don't remember at all?  
 19 A. I just don't remember.  
 20 Q. Since you mentioned American Hospital  
 21 Supply, do you recall going to American Hospital  
 22 Supply?  
 23 A. No.  
 24 Q. Okay. As far as you know, you never did

1 pickups at American Hospital Supply, is that  
 2 correct?

3 A. No, I didn't.  
4 Q. When you would pick up a one-yard  
5 container such as the type at Lake County Hospital,  
6 how long would it take from when you started to  
7 finish to actually unload that container?  
8 A. The cycle on those trucks were 35  
9 seconds.  
10 Q. To make sure I understand you, is that  
11 the time from when you hook the chain on, pull the  
12 lever, raise the thing up, empty it, pull the lever  
13 again or whatever and let it go all the way back  
14 down to the ground? That's a total of 35 seconds?  
15 A. Yes.  
16 Q. Does that include also hooking up the  
17 chains?  
18 A. No.  
19 Q. Okay. The whole operation when you get  
20 next to the container and start hooking up the  
21 chains until the time you're done and ready to pull  
22 away with one container, how long does that take?  
23 A. Depends on the situation, but I would  
24 say on average between a minute and a minute and 15

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1 seconds. That's if you move fast when you're  
2 getting out of the truck.  
3 Q. In regard to the materials you picked up  
4 at Lake County Hospital, do you recall anything  
5 else that you observed in the container other than  
6 papers?  
7 A. No.  
8 Q. You also referred to going to the  
9 Illinois National Guard.  
10 What was the frequency that you would go  
11 there? In other words, was that a daily pickup?  
12 A. No.  
13 Q. Did you go there more than once a week,  
14 once a week?  
15 A. I believe it was on Monday because  
16 that's when some of the guards would be there over  
17 the weekend.  
18 Q. Okay. And that was the only day you  
19 would go there?  
20 A. I believe so, yes.  
21 Q. Do you recall where in the sequence --  
22 strike that.  
23 Your stop at North Shore Sanitary  
24 District, was that part of your first load of the

Lake Shore Foundry Inc

### SUMMARY FOR LAKE SHORE FOUNDRY, INC.

Lake Shore Foundry, Inc. ("Lake Shore Foundry") has been located at 653 Market Street in Waukegan since at least the early 1960s. (Ex. 1, at ¶ 1; Ole Kirkegaard 1086)

Throughout the relevant time period, Lake Shore Foundry was a customer of Waukegan Disposal. (Ole Kirkegaard 1085) Waukegan Disposal picked up waste at Lake Shore Foundry twice per week. (Ole Kirkegaard 1085) Lake Shore Foundry used four to six 55-gallon drums to handle its waste. (Ole Kirkegaard 1085-86) Its waste consisted of heavy foundry sand, pieces of sand molding, corrugated boxes, and a small volume of office paper. (Ole Kirkegaard 1086)

Since Lake Shore Foundry was on Waukegan Disposal's afternoon route, a portion of its waste may have been transported to the Griess Pflieger Tannery. However, Ole Kirkegaard testified that 40 per cent of the overall waste collected on the afternoon route was hauled to the Site. (Ole Kirkegaard 165)

In summary, Lake Shore Foundry arranged for the disposal of at least a total of 45 cubic yards of waste per year at the Site from approximately 1962 to 1969. (Ole Kirkegaard 1085-1086)



STATE OF ILLINOIS)  
                                  )SS  
COUNTY OF LAKE        )

**RESPONSE AFFIDAVIT TO DOCUMENT SUBPOENA**

JOHN R. GARLAND, being first duly sworn, deposes and states as follows:


1. Affiant is the President of Lake Shore Foundry, Inc., an Illinois Corporation, whose principal office is located at 653 Market Street, Waukegan, Illinois 60085.

2. This Affidavit is given in response to a Document Subpoena served on non-party, Lake Shore Foundry, Inc. in a case entitled "Yeoman Creek PRP Committe vs. Abbott Laboratories, et al", No. 92 C 7592, pending in the United States District Court for the Northern District of Illinois. Attached hereto is Exhibit A of the Subpoena setting for the document request.


3. Affiant states that the Lake Shore Foundry, Inc. does not have any documents set forth in Exhibit A for the period 1955 through 1969. Records and documents of the Corporation are kept only for the last seven years.

4. Further, affiant states that his father, Norval W. Garland, operated the Corporation business during the period 1955 through 1969. Norval W. Garland died in 1973.

5. Further, affiant sayeth not.

  
John R. Garland

SUBSCRIBED and SWORN to before me  
this 15 day of February, 1993.

  
Notary Public



## **EXHIBIT A**

1. All documents relating to the use, generation, storage, treatment, transportation, disposal or other handling of Waste Materials by you, your contractors, or by prior owners or operators of your Facility or Facilities during the period 1955 - 1969.
2. All documents relating to your use, whether directly or indirectly through contractors or otherwise, of the Edward Field and/or Yeoman Creek Landfills in Waukegan, Illinois.
3. All documents relating to the identity of all transporters of Waste Materials from your Facility or Facilities during the period 1955 - 1969.
4. All documents relating to the chemical composition of all Waste Materials generated by you at your Facility or Facilities during the period 1955 - 1969.

Lake Shore Foundry Inc

Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. I  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

The deposition of OLE KIRKEGAARD, called  
as a witness for examination, taken pursuant to the  
Federal Rules of Civil Procedure of the United  
States District Courts pertaining to the taking of  
depositions, taken before MELANIE JAKUS, a Notary  
Public within and for the County of DuPage, State  
of Illinois, and a Certified Shorthand Reporter of  
said state, at Suite 7200, 233 South Wacker Drive,  
Chicago, Illinois, on the 28th day of July, A.D.  
1993, at 9:30 a.m.

1 BY THE WITNESS:

2 A. For the whole load, I would say about 60  
3 percent of the time the whole load was dumped at  
4 Griess-Pfleger, and 40 percent of the time it was  
5 where we had to go to the landfill and dump.

6 BY MR. RODRIGUEZ:

7 Q. To the Yeoman Creek Landfill?

8 A. Yes.

9 Q. Okay. When you talk about the whole  
10 load, what you're saying is you had a full truck.

11 A. Yes.

12 Q. Okay.

13 A. Filled up.

14 Q. Okay.

15 MR. RANDOLPH: Gabe, we have been at this an  
16 hour and a half.

17 Could we take a short break?

18 MR. RODRIGUEZ: Sure.

19 (WHEREUPON, a recess was had.)

20 MR. RANDOLPH: Just for the record, if we are  
21 back on record, Mr. Kirkegaard has marked in yellow  
22 certain streets on the map that he's identified as  
23 the afternoon route, and, as I indicated on the  
24 record, there are several pickup spots noted on the

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. VI  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 19, 1993

10:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 A. Rags they had, also.  
2 Q. Anything else?  
3 A. Floor sweepings, that type of thing.  
4 Q. Okay. Waukegan Paint & Lacquer came  
5 before the Huron Cement and Kalva accounts on the  
6 afternoon route.  
7 A. Yes.  
8 Q. That means, then, on occasion their  
9 waste went to Yeoman Creek.  
10 A. Yes.  
11 Q. Also on that route there's a company  
12 called Lake Shore Foundry, is that correct?  
13 A. Yes.  
14 Q. Is that still in existence?  
15 A. Yes.  
16 Q. Was that an account of Waukegan  
17 Disposal?  
18 A. Yes.  
19 Q. How often did you pick up that account?  
20 A. About twice a week.  
21 Q. What type of containers did they use?  
22 A. In the mid-sixties, they had 55-gallon  
23 drums.  
24 Q. Do you recall how many?

1 A. Anywhere from four to six.  
2 Q. What portion of the sixties did you  
3 handle the waste for Lake Shore Foundry? Was it  
4 throughout the sixties or some smaller portion of  
5 the sixties?  
6 A. Throughout the sixties.  
7 Q. What type of waste was in the drums at  
8 Lake Shore Foundry?  
9 A. They had a lot of heavy foundry sand  
10 type of -- pieces of molding. They also had  
11 corrugated and very little office paper.  
12 Q. You say "molding." What do you mean by  
13 "molding"?  
14 A. I believe they were manufacturing some  
15 type of a machinery type of thing and they used  
16 molding for that.  
17 Q. What were they made out of?  
18 A. Sand.  
19 Q. Did Lake Shore Foundry waste on occasion  
20 go to the Yeoman Creek or Edward Field Landfills?  
21 A. Yes.  
22 Q. Do you know the names of any individuals  
23 whom you dealt with at either Lake Shore Foundry or  
24 Waukegan Paint & Lacquer?

1 A. I don't recall, no.  
2 Q. I'd also like to ask you about a company



3 named Chem-Rite.  
4 Do you recall that company?  
5 A. Yes.  
6 Q. Who handled the waste for Chem-Rite?  
7 A. Waukegan Disposal Service.  
8 Q. During what period of time?  
9 A. I would say mid-sixties to late sixties.  
10 Q. What route or routes was Chem-Rite on?  
11 A. That was on the Grand Avenue and  
12 Washington Street route.  
13 Q. Okay. What was the location of that  
14 facility?  
15 A. That was on LeBaron Street right off  
16 Washington Street.  
17 Q. Do you recall the type of containers  
18 they utilized for their waste?  
19 A. Yes.  
20 Q. What were they?  
21 A. It had three to four 55-gallon drums.  
22 Q. How often did you pick up their waste?  
23 A. About twice a week.  
24 Q. Do you recall what was in the drums?

Larsen & Petersen Paint Co

### SUMMARY FOR LARSEN & PETERSEN PAINT COMPANY

From the mid 1950's throughout the relevant time period, Larsen & Petersen Paint Company ("Larsen & Petersen") operated a retail paint store on North Genesee Street in Waukegan.

Larsen & Petersen was a customer of Waukegan Disposal at the time the Edwards Field Landfill opened and remained a customer at least through the early 1970s. (Peder Kirkegaard 685, Ole Kirkegaard 657-658; Ex. 1) Since Larsen & Petersen was on Waukegan Disposal's downtown morning route, all of its waste was hauled to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 657)

Waukegan Disposal picked up waste from Larsen & Petersen two to three days per week. Larsen & Petersen's waste stream consisted primarily of empty and partially full paint cans as well as corrugated cardboard. (Ole Kirkegaard 658; Peder Kirkegaard 684)

Larsen & Petersen used garbage cans as well as steel and fiber drums to handle its waste. (Ole Kirkegaard 658) (Peder Kirkegaard 684-85) Waukegan Disposal picked up 4 to 6 yards of waste at Larsen & Petersen per pickup. (Ole Kirkegaard 658)

In summary, Larsen & Petersen arranged for the disposal of at least a total of 624 cubic yards of waste per year at the Site from approximately 1960 to 1969. (Ole Kirkegaard 658-659)

FOR ID. AS OF 7/3/93 4 ACCOUNTS RECEIVABLE MARCH 31, 1972

| NAME                           | 30 DAYS  | 60 DAYS | 90 DAYS | 120 DAYS |
|--------------------------------|----------|---------|---------|----------|
| Able Builders                  |          | 40.00   | 40.00   | 454.00   |
| Alter Trucking & Terminal #030 | 325.50   | 260.40  | 260.40  | 260.40   |
|                                | 75.00    | 75.00   | 75.00   | 75.00    |
|                                |          |         |         | 325.50   |
|                                |          |         |         | 75.00    |
| Alter Trucking & Terminal #025 | 390.60   | 325.50  |         |          |
|                                | 75.00    | 75.00   |         |          |
| American Concrete              | 231.00   |         |         |          |
| Belscot Retailers, Inc.        | 64.00    | 124.00  |         |          |
| Belscot Snack Bar              | 25.00    | 25.00   |         |          |
| Belvidere Cinema               | 92.00    |         |         |          |
| Blumberg & Co. (real estate)   | 215.00   |         |         |          |
| Thos. Brockman Floor Co.       | 300.00   |         |         |          |
| Raymond Bugge                  |          | 36.00   |         |          |
| C & H Contracting              | 21.00    |         |         |          |
| Douglas V. Carlson Co.         | 300.00   |         |         |          |
| Chandler's, Inc.               | 27.00    |         |         |          |
| Chicago Hussmann, Inc.         | 360.00   | 234.00  |         |          |
| Chicago Rubber Co., Inc.       | 205.55   |         |         |          |
| Coleman Industrial Center      | 821.25   | 180.00  | 438.75  |          |
| Commonwealth Edison Co. #1     | 60.00    | 60.00   |         |          |
| Commonwealth Edison Co. #2     | 315.00   | 270.00  |         |          |
| Commonwealth Edison Co. #3     | 90.00    | 90.00   |         |          |
| Commonwealth Edison Co. #4     | 153.00   |         |         |          |
| Consolidated Freightways       | 72.50    |         |         |          |
| Corbetta Construction Co.      | 432.00   | 12.00   | 12.00   | 12.00    |
| Country Club Apartments        | 358.80   | 358.80  | 358.80  | 1076.40  |
| Dominick's Finer Foods, Inc.   | 105.00   |         |         |          |
| J. S. Drew Construction Co.    | 150.00   |         |         |          |
| Electrical Conductors, Inc.    | 468.96   |         |         |          |
| Elmwood Apartments             | 135.00   |         |         |          |
| Fansteel Metallurgical Corp.   | 655.50 ✓ |         |         |          |
| Feldco-Major, Inc.             | 625.01   |         |         |          |
| Foss Park                      | 10.00    |         |         |          |
| Genesee Builders, Inc.         | 120.00   |         |         |          |
| Gold Standard Liquors          | 92.00    | 126.00  | 100.00  |          |
| Golf Apartments                | 135.00   |         |         |          |
| Ill. Huber Glass Co., Inc.     | 62.50    | 30.00   |         |          |
| Jewel Companies, Inc.          | 443.55   |         |         |          |
| G. A. Johnson & Son            | 135.00   |         |         |          |
| Lake County Movers, Inc.       | 27.75    | 12.00   | 3.00    | 265.50 * |
| Liberty Management Corp.       | 100.00   |         |         |          |
| Lomaur Enterprises, Inc.       |          |         |         | 615.00   |
| Mazer Chemicals, Inc.          | 27.00    |         |         |          |
| Mixmore Corporation            | 200.00   |         |         |          |
| Mobil Oil Corporation          | 41.00 ✓  |         |         |          |
| Montgomery Ward & Company      | 400.00 ✓ |         |         |          |
| National Tea Company           | 170.00   |         |         |          |
| Nordic Steak n' Pub            | 108.00   |         |         |          |
| North Shore Foundry            | 165.00   |         |         |          |
| North Shore Industries         | 45.00    | 45.00   | 45.00   |          |
|                                | 4431.47  | 2378.70 | 1332.45 | 3168.50  |

LARSEN & PETERSEN  
ADR EXHIBIT 1

(1)

| NAME                        | 30 Days  | 60 Days | 90 Days | 120 Days |
|-----------------------------|----------|---------|---------|----------|
| North Shore Printers        | 230.00 ✓ | 210.00  |         |          |
| North Shore Sanitary Dist.  | 15.00 ✓  |         |         |          |
| Otis Development Co.        | 575.00   |         |         |          |
| Johnson Manufacturing Co.   | 16.39    |         |         |          |
| Kranstiehl, 669 Market      | 150.00 ✓ |         |         |          |
| John Salata                 | 12.00    |         |         |          |
| Sears Roebuck & Co.         | 400.00 ✓ |         |         |          |
| Willie Shelley              | 12.00    | 35.00   |         | 121.00   |
| V. B. Smigel & Associates   | 75.00    |         |         |          |
| Sprucewood Builders, Inc.   |          |         |         | 96.00    |
| Stone Container, N. Chicago | 335.00 ✓ |         |         |          |
| Stone Container, Lk. Bluff  | 40.00 ✓  |         |         |          |
| Swedish Manor               | 89.00    | 83.00   |         |          |
| Finn L. Thomsen Co.         | 16.00    |         |         |          |
| Timberlake Apts.            | 135.00   |         |         |          |
| Tip-Top Builders, Inc.      | 45.00    |         |         |          |
| U. S. Envelope              | 313.00 ✓ |         |         |          |
| V/R Wesson Corp.            | 380.00 ✓ |         |         |          |
| Victory Memorial Hospital   | 236.25 ✓ |         |         |          |
| Waukegan News-Sun           | 439.50 ✓ |         |         |          |
| Waukegan Park District      | 150.00 ✓ |         |         |          |
| Waukegan Public Schools     | 1030.00  |         |         |          |
| Waukegan Roofing Company    | 81.00    |         |         |          |
| Waukegan Terrace Apts.      | 200.00   |         |         |          |
| Welles Dept. Store          | 105.00   |         |         |          |
| Whispering Oaks             | 530.00   |         |         |          |
| Wickes Lumber               | 125.00   |         |         |          |
| Hercules Zagoras            | 44.00    |         |         |          |

### HOMES

|                      |                |               |             |               |
|----------------------|----------------|---------------|-------------|---------------|
| Walter Anderson      | 3.00           |               |             |               |
| Richard Bartell      | 3.00           |               |             |               |
| William Campbell     | 3.00           |               |             |               |
| Ray Cantrell         | 3.00           |               |             |               |
| Anthony Ciarico      | 3.00           |               |             |               |
| Robert Clark         | 4.00           |               |             |               |
| Joe Gagliardo        | 3.00           |               |             |               |
| Marguerite Harris    | 3.00           | 1.50          |             |               |
| T. Ivan              | 3.00           |               |             |               |
| Edward Leskis        | 3.00           |               |             |               |
| Toivo Luoma          | 3.00           |               |             |               |
| Jim Miller           | 3.00           |               |             |               |
| Charles Moats        | 2.25           |               |             |               |
| Ellis A. O'Brien     | 3.00           |               |             |               |
| Robert O'Brien       | 3.00           | 3.00          | 3.00        |               |
| Mrs. Donald Paulsen  | 3.00           |               |             |               |
| Farris Payne         | 3.00           |               |             |               |
| Clifford P. Roach    | 6.00           |               |             |               |
| Henry Schueneman     | 6.00           |               |             |               |
| Richard Shimanek     | 3.00           |               |             |               |
| Lois Smith           | 3.00           |               |             |               |
| Mrs. Peter Sonn, Jr. | 3.00           |               |             |               |
| Gertrude Vanderhei   | 3.00           | 3.00          |             |               |
| Charles White        | 3.00           |               |             |               |
| Lawrence Williams    | 6.00           | 6.00          | 6.00        | 6.00          |
| Louis Yarc           | 3.00           |               |             |               |
| Bernard Zastrow      | 3.00           |               |             |               |
|                      | <u>5453.37</u> | <u>343.50</u> | <u>9.00</u> | <u>223.00</u> |

| NAME                      | 30 days | 60 days | 90 days | 120 day |
|---------------------------|---------|---------|---------|---------|
| Aamco Transmissions       | 17.00   |         |         |         |
| A B Tax Service           | 7.00    |         |         |         |
| Auto Maintenance          | 7.00    | 7.00    | 7.00    | 35.00   |
| Auto Electronics          | 5.00    |         |         |         |
| Ace Antenna               | 12.00   | 12.00   | 12.00   | 128.00  |
| Ace Upholstery Shop       | 6.00    |         |         |         |
| Accurate Lock & Key       | 4.00    |         |         |         |
| Ace Hardware              | 25.00   |         |         |         |
| Acme Brick                | 12.00   |         |         |         |
| O. R. Adler Corp.         | 12.00   |         |         |         |
| Air Con Refrigeration     | 42.00   |         |         |         |
| Henry Allen               | 12.00   | 6.00    |         |         |
| Al's Transmission Service | 7.00    |         |         |         |
| Alice Apartments          | 18.00   |         |         |         |
| Morton A. Alshuler        | 17.00   |         |         |         |
| American Family Insurance | 3.00    |         |         |         |
| American Handicrafts      | 8.00    |         |         |         |
| Anderson Apartments       | 12.00   |         |         |         |
| D. K. Anderson bldg.      | 17.00   |         |         |         |
| Andy's Club Belvidere     | 12.00   |         |         |         |
| Arco (Vic & Bill's)       | 12.00   |         |         |         |
| Armsted (acct. 4-A)       | 17.00   |         |         |         |
| Armsted (acct. 4-B)       | 25.00   |         |         |         |
| Armsted (acct. 4-C)       | 12.00   |         |         |         |
| Armsted (acct. 4-D)       | 12.00   |         |         |         |
| Armsted (acct. 0005)      | 12.00   |         |         |         |
| Armsted (acct. 005-2)     | 17.00   |         |         |         |
| Arnold's Mens' Wear       | 12.00   |         |         |         |
| Associates Finance        | 3.00    |         |         |         |
| Atlantic-Richfield        | 5.00    |         |         |         |
| Austill Grocery           | 7.00    |         |         |         |
| A-Z Management            | 50.00   |         |         |         |
| Barney's Tailoring        | 4.00    |         |         |         |
| Barr Equipment Co.        | 12.00   |         |         |         |
| Barrister Club            | 10.00   |         |         |         |
| Baskin & Robbins          | 6.00    |         |         |         |
| Bearing Headquarters      | 14.00   |         |         |         |
| Beckman-Tower Apts.       | 15.00   |         |         |         |
| Beckmann Rentals          | 15.00   |         |         |         |
| J. Beckmann's Tavern      | 17.00   |         |         |         |
| Beco Business Equipment   | 12.00   |         |         |         |
| Belvidere Camera Center   | 10.00   |         |         |         |
| Belvidere Clothes Care    | 16.00   |         |         |         |
| Belvidere Mall Barber     | 3.00    | 3.00    | 3.00    |         |
| Belvidere Office Plaza    | 40.00   |         |         |         |
| Beneficial Finance Co.    | 4.00    |         |         |         |
| Benson Apts.              | 12.00   |         |         |         |
| Benson Electric           | 12.00   |         |         |         |
| Troy Benson               | 12.00   |         |         |         |
| Bernie's Auto Repair      | 6.00    |         |         |         |
| Besley-Mkgn. Clinic       | 7.00    | 7.00    | 7.00    |         |
| Best Realty               | 12.00   |         |         |         |
| John Sidney               | 12.00   |         |         |         |
| T. Big E                  | 15.00   | 7.50    |         |         |
| Edward Bileski            | 42.00   | 42.00   |         |         |
|                           | 177.00  | 84.50   | 29.00   | 163.00  |

|                           | 30 days  | 60 days | 90 days | 120 days |
|---------------------------|----------|---------|---------|----------|
| J. Blumberg bldg. acct.   | 10.00    |         |         |          |
| J. Blumberg, 212 County   | 12.00    |         |         |          |
| Blumberg Appliance        | 160.00   |         |         |          |
| Blumberg Furniture        | 50.00    |         |         |          |
| Nick Boras                | 5.00     |         |         |          |
| Boyke's Imperial Manor    | 143.00   | 90.00   |         |          |
| Cecile Bordlema           | 8.00     |         |         |          |
| Brand Service Centers     | 20.00    |         |         |          |
| Mrs. B. Brattland         | 42.00    |         |         |          |
| Bresler's 33 Flavors      | 15.00    |         |         |          |
| Bresler's 33 Flavors #G-3 | 12.00    |         |         |          |
| Brown's Fried Chicken     | 6.25     |         |         |          |
| James B. Bruce            | 15.00    |         |         |          |
| Buckner Equipment Co.     | 17.00    | 17.00   | 17.00   |          |
| Budget Rent-A-Car         | 12.00    |         |         |          |
| Burger Chef Drive-In      | 30.00    |         |         |          |
| Burger King, M. Lewis     | 70.00    |         |         |          |
| Burger King, Sheridan Rd. | 85.00    |         |         |          |
| Burton's Shoes            | 8.00     | 8.00    | 8.00    |          |
| Charles Butkus            | 6.00     |         |         |          |
| Cadillac Packaging        | 13.00    | 13.00   | 13.00   |          |
| Cal's Roast Beef          | 50.00    | 50.00   | 50.00   |          |
| Miquel Canacho            | 20.00    | 20.00   |         |          |
| Canale's Pizza            | 8.00     | 8.00    | 8.00    | 16.00    |
| John Carlson              | 12.00    |         |         |          |
| Carrier's Garage          | 12.50    |         |         |          |
| E. B. Kid Carter          | 12.00    |         |         |          |
| Central Restaurant        | 14.00    |         |         |          |
| Central Shoe Repair       | 6.00     |         |         |          |
| Certified Collection      | 8.00     |         |         |          |
| Chem-Rite Products        | 5.00     |         |         |          |
| Cherokee Industries       | 6.00     |         |         |          |
| Chicago Motor Club        | 5.00     |         |         |          |
| Elva Costillo             |          |         | 4.00    | 8.00     |
| Chicken Unlimited         | 16.00    |         |         |          |
| Christakis Real Estate    | 25.00    | 25.00   |         |          |
| Gerald Christian          | 12.00    |         |         |          |
| Christian Church Supplies | 5.00     | 5.00    | 5.00    |          |
| Christian Fabricators     | 17.00    |         |         |          |
| R. Christopulos           | 12.00    |         |         |          |
| Chuck Wagon               | 24.00    |         |         |          |
| Citizens Bank Bldg.       | 12.00    |         |         |          |
| Harry Clark               | 12.00    |         |         |          |
| Clavey & Peklay           | 15.00    |         |         |          |
| Clean Way, Inc.           | 14.00    |         |         |          |
| The Clip Joint            | 12.00    |         |         |          |
| Coiffure de Paris         | 6.00     | 6.00    | 6.00    |          |
| Coiffure Internationale   | 15.00    |         |         |          |
| Mrs. Sophie Colucci       | 12.00    |         |         |          |
| Compacted Metals Corp.    | 50.00    |         |         |          |
| Commercial Printers, Inc. | 24.00    | 24.00   |         |          |
| Community Bake Shop       | 20.00    |         |         |          |
| Coney Island Lunch        | 5.00     | 5.00    | 8.00    |          |
| Congregation Am Echod     | 12.00    |         |         |          |
| Convenient Food Mart      | 16.00    | 16.00   |         |          |
| Thos. G. Cook, Jr.        | 12.00    | 12.00   |         |          |
| Co-op Credit Union        | 12.00    |         |         |          |
|                           | 1,268.75 | 307.00  | 124.00  | 24.00    |

| NAME                       | 30 days       | 60 days       | 90 days      | 120          |
|----------------------------|---------------|---------------|--------------|--------------|
| Ella Corpiex               | 8.00          |               |              |              |
| Cote Electric              | 12.00         |               |              |              |
| Cottage Inn                | 20.00         |               |              |              |
| Ver Girl                   | 10.00         |               |              |              |
| Mrs. Gretchen Cribbs       | 5.00          |               |              |              |
| Castula Cucvas             | 6.00          |               |              |              |
| Custom Interiors           | 12.00         |               |              |              |
| Ray Cvetich                | 8.00          |               |              |              |
| Dairy Queen, Green Bay Rd. | 17.00         |               |              |              |
| E. Dalgord                 | 8.00          |               |              |              |
| Dave's Window Shop         | 12.00         |               |              |              |
| Designer Kitchens          | 14.00         |               |              |              |
| Diamond Scrap Yards        | 117.00        | 117.00        |              |              |
| Dick's Standard Service    | 15.00         | 15.00         |              |              |
| Dill's Auto Repair         | 1.50          |               |              |              |
| Dillow's                   | 12.00         |               |              |              |
| Dixon Automotive           | 6.00          |               |              |              |
| Dog House                  | 26.00         |               |              |              |
| Dog M' Suds                | 40.00         |               |              |              |
| Dolphin Sport Craft        | 3.00          |               |              |              |
| Dom's Liquor Mart          | 15.00         |               |              |              |
| Dom's Ten Pin Tavern       | 27.00         |               |              |              |
| Drake Supply               | 17.00         |               |              |              |
| James Duggan               | 17.00         |               |              |              |
| The Dugout Tavern          | 6.00          |               |              |              |
| Dunkin' Donuts             | 36.00         |               |              |              |
| Durkin & Durkin            | 8.00          |               |              |              |
| E & A Rentals              | 12.00         |               |              |              |
| E & E Pattern              | 12.00         |               |              |              |
| Eazy Rental Center         | 8.00          | 8.00          |              |              |
| El Bohio Cafe              | 14.00         | 14.00         |              |              |
| El Pueblo Barber Shop      | 3.00          | 3.00          | 3.00         | 3.0          |
| El's Superette             | 9.00          |               |              |              |
| Electrical Products        | 12.00         |               |              |              |
| Elias Industries           | 32.00         | 32.00         | 32.00        |              |
| The Emporium               | 4.00          | 4.00          |              |              |
| E. J. Ermon Enterprises    | 7.00          |               |              |              |
| Erwin's Jewelers           | 6.00          |               |              |              |
| James Evoy                 | 5.00          |               |              |              |
| Executive House            | 22.00         |               |              |              |
| F. K. Pattern & Foundry    | 28.00 ✓       | 28.00         |              |              |
| F & N Standard             | 17.00         |               |              |              |
| Farmer's Market            | 30.00         | 30.00         | 30.00        | 180.0        |
| The Feast House            | 30.00         |               |              |              |
| Dr. H. B. Fields           | 15.00         |               |              |              |
| First National Bank        | 12.00         |               |              |              |
| Fisher Pharmacy            | 6.00          |               |              |              |
| Fishermen's Wharf CSC      | 12.00         |               |              |              |
| 5 Points Drive-In          | 24.00         | 24.00         | 24.00        | 120.0        |
| 5 Minute Shoe Repair       | 3.00          |               |              |              |
| 5 Star Liquors             | 50.00         |               |              |              |
| Flagg's Barber Shop        | 4.00          |               |              |              |
| Fletcher Apartments        | 15.00         |               |              |              |
| G. Joseph Foley            | 3.00          | 3.00          |              |              |
| Fiolo Electric             | 6.00          |               |              |              |
| Floor Show                 | 5.00          |               |              |              |
|                            | <u>519.50</u> | <u>275.00</u> | <u>87.00</u> | <u>303.0</u> |



| NAME                               | 30 days          | 60 days         | 90 days | 120  |
|------------------------------------|------------------|-----------------|---------|------|
| A. Fontanini Standard              | 17.00            |                 |         |      |
| Font Dearborn Tailors              | 3.00             |                 |         |      |
| tain of Beauty                     | 3.00             | 3.00            | 3.00    |      |
| 400 Restaurant                     | 16.00            |                 |         |      |
| Sharper Foxworth                   | 12.00            | 12.00           | 15.00   |      |
| Foyer's, Inc.                      | 16.00            |                 |         |      |
| Walter Franklin                    | 12.00            | 12.00           | 12.00   | 33.0 |
| Fresh Foods, Inc.                  | 150.00           |                 |         |      |
| GAC Finance Corp.                  | 6.00             |                 |         |      |
| William Gandy                      | 6.00             | 6.00            | 6.00    |      |
| Ganster & Hennighausen             | 13.00            |                 |         |      |
| Forrest Geary                      | 8.00             |                 |         |      |
| Vic Geib apt. bldg.                | 6.00             |                 |         |      |
| Gen & Water                        | 14.00            |                 |         |      |
| General Grocery                    | 12.00            |                 |         |      |
| Genesee Trust                      | 5.00             |                 |         |      |
| Ges-Mo Distributors                | 12.00            |                 |         |      |
| Martha Gibson                      | 17.00            | 17.00           | 17.00   | 34.0 |
| Gil's Gulf Service                 | 12.00            |                 |         |      |
| Gingiss Bros.                      | 6.00             |                 |         |      |
| Walter H. Givler                   | 4.00             |                 |         |      |
| Glen Flora Tavern                  | 15.00            |                 |         |      |
| The Glidden Co.                    | 10.00            |                 |         |      |
| The Globe                          | 22.50            |                 |         |      |
| Don Goetz                          | 5.00             | 5.00            |         |      |
| Goodyear Service                   | 28.00 ✓          |                 |         |      |
| Gordon Building                    | 12.00            |                 |         |      |
| Gordon's Auto Parts                | ----- ✓          |                 |         |      |
| Mrs. Gus Gorgan                    | 13.00            | 13.00           | 13.00   |      |
|                                    |                  | + 205.00(extra) |         |      |
| Gosa Bird Fish Market              | 20.00            |                 |         |      |
| Gould's Home Bakery                | 22.00            |                 |         |      |
| Graf's Beverages                   | 20.00            |                 |         |      |
| Grand Appliance                    | 10.00            |                 |         |      |
| Grand Ave. Shopping Center         | 12.00            |                 |         |      |
| Grand Gardens - 1                  | 14.00            |                 |         |      |
| Grand Gardens - 2                  | 15.00            |                 |         |      |
| Grand Knitting                     | 5.00             | 5.00            | 5.00    | 25.0 |
| Grand Liquors                      | 28.00            |                 |         |      |
| Grand Newstand                     | 3.00             |                 |         |      |
| Grand Plaza Restaurant             | 24.00            | 24.00           | 24.00   | 24.0 |
| Grand Standard                     | 16.00            |                 |         |      |
| Granny's Shoppe                    | 8.00             | 8.00            | 8.00    |      |
| Robert Graves                      | 12.00            |                 |         |      |
| Great Pants Explosion              | 12.00            | 12.00           | 12.00   | 36.0 |
| Greenwood Car Wash                 | 7.00             |                 |         |      |
| Greyhound Bus Depot                | 12.00            | 12.00           |         |      |
| Gulf #129                          | 7.00             |                 |         |      |
| Gulf Station                       | 7.00             |                 |         |      |
| HMS Kitchens                       | 8.00             | 12.00           | 12.00   |      |
| <del>Handi-Tap of Ill., Inc.</del> | <del>10.00</del> |                 |         |      |
| Happy House                        | 5.00             |                 |         |      |
| mony Haven TV                      | 50.00            | 50.00           | 50.00   | 97.  |
| Grant Harris                       | 16.00            | 16.00           | 16.00   |      |
| Timothy J. Harris                  | 12.00            |                 |         |      |
| Headquarters Tavern                | 15.00            |                 |         |      |
|                                    | 520.50           | 417.00          | 195.00  | 249. |

|                              | 30 days        | 60 days       | 90 days       | 120 d        |
|------------------------------|----------------|---------------|---------------|--------------|
| Heart Assoc. of Lake Co.     | 16.00          |               |               |              |
| Maese's Foodliner            | 40.00          |               |               |              |
| A. Meffelfinger              | 12.00          |               |               |              |
| Paints                       | 65.00          |               |               |              |
| J. R. Helbert                | 10.00          |               |               |              |
| Hello Dolly Shoppe           | 5.00           |               |               |              |
| Herb's Service               | 17.00          |               |               |              |
| Hernandez Bldg.              | 5.00           | 5.00          |               |              |
| Hickory Farms                | 15.00          |               |               |              |
| Don Hicks                    | 17.00          |               |               |              |
| Eugene Z. Hills              | 10.00          |               |               |              |
| Julian D. Hills              | 6.00           |               |               |              |
| Chuck Mines Store            | 8.00           |               |               |              |
| Frances Holub                | 10.00          |               |               |              |
| Holy Child High School       | 40.00          |               |               |              |
| Holy Family Church           | 17.00          |               |               |              |
| Huron Portland Cement        | 80.00          |               |               |              |
| Ill. Bell Telephone          | 32.00 ✓        |               |               |              |
| Ill. Briar Pipe              | 10.00          |               |               |              |
| Ill. Carbide Tool            | 10.00          |               |               |              |
| Ill. Dept. of Public Aid     | 17.00          |               |               |              |
| Immanuel Baptist Church      | 12.00          |               |               |              |
| Internal Revenue Service     | 15.00          |               |               |              |
| International Decorating - 1 | 17.00          |               |               |              |
| International Decorating - 2 | 17.00          |               |               |              |
| Ivester Drywall              | 12.00          |               |               |              |
| Rev. Bruce Ivy               | 12.00          |               |               |              |
| J & L Gas for Less           | 10.00          |               |               |              |
| J & R Cleaners               | 14.00          |               |               |              |
| Jack's Liquors               | 12.00          | 12.00         | 12.00         | 12.00        |
| Jack's Sinclair Svc.         | 12.00          |               |               |              |
| Jacob's Business Machines    | 12.00          |               |               |              |
| Janis Cleaners               | 5.00           | 5.00          |               |              |
| Jefferson Ice Service - 1    | 15.00          |               |               |              |
| Jefferson Ice Service - 2    | 15.00          |               |               |              |
| Jenkins & Boller             | 12.00          |               |               |              |
| Frank T. Jensen              | 17.00          |               |               |              |
| Jerry's Union 76 -           | 12.00          |               |               |              |
| Jody Dress Shop              | 7.00           |               |               |              |
| John's Union 76              | 8.00           |               |               |              |
| Dr. Glen Johnson             | 3.00           |               |               |              |
| Nestor Jovanovic             | 12.00          |               |               |              |
| Junior Achievement           | 2.50           |               |               |              |
| John Jurukian                | 12.00          | 12.00         | 12.00         | 35.00        |
| E. J. Kahn Corp.             | 100.00         | 100.00        | 100.00        |              |
| Kare Cleaning Co.            | 8.00           | 8.00          | 8.00          | 24.00        |
| Karnes Music Co.             | 30.00          |               |               |              |
| The Kalva Corp.              | 130.00         |               |               |              |
| Kangas Construction Co.      | 15.00          | 15.00         |               |              |
| Karry Bros. Garage           | 12.00 ✓        |               |               |              |
| Karry's Custom Welding       | 5.00           | 5.00          | 5.00          | 15.00        |
| Bob Kaufman & Assoc.         | 12.00          |               |               |              |
| K. Campbell's                | 10.00          |               |               |              |
| Randall Carpet Service       | 36.00          | 20.00         |               |              |
| King Optical                 | 8.00           |               |               |              |
| King's Home Furnishings      | 25.00          |               |               |              |
|                              | <u>1115.50</u> | <u>182.00</u> | <u>137.00</u> | <u>86.00</u> |

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|                                 | 30 days | 60 days | 90 days | 120 days |
|---------------------------------|---------|---------|---------|----------|
| Kinney Shoes                    | 12.00   |         |         |          |
| Kirby of North Shore            | 8.00    |         |         |          |
| Knights of St. John             | 12.00   | 8.00    |         |          |
| La Bore Moss Standard           | 12.00   |         |         |          |
| Kozar's Sunset Foods            | 25.00   |         |         |          |
| Kraus Sheet Metal               | 24.00   |         |         |          |
| La Pasada Grocery               | 16.00   | 16.00   |         |          |
| Lk. Co. Administration Bldg.    | 30.00   | 30.00   |         |          |
| Lk. Co. Sheriff's Office & Jail | 55.00   |         |         |          |
| Lake Co. Court Hs. annex bldg.  | 12.00   |         |         |          |
| Lk. Co. Hospital                | 40.00   |         |         |          |
| Lk. Co. Sheriff's cars          | 8.00    |         |         |          |
| Lk. Co. Community Action Proj.  | 20.00   |         |         |          |
| Lk. Co. Community Action Proj.  | 5.00    |         |         |          |
| Lk. Co. Contractors Assn.       | 12.00   |         |         |          |
| Lk. Co. Dept. of Public Aid     | 3.00    |         |         |          |
| Lk. Co. Health Dept.            | 2.00    |         |         |          |
| Lk. Co. Modern Builders - 1     | 20.00   | 2.00    | 2.00    |          |
| Lk. Co. Modern Builders - 2     | 40.00   |         |         |          |
| Lk. Co. Office Equipment        | 24.00   |         |         |          |
| Lk. Co. Press, Inc.             | 60.00   |         |         |          |
| Lk. Co. Urban League            | 12.00   | 12.00   |         |          |
| Lake Shore Distributing, Inc.   | 17.00   |         |         |          |
| Lake Shore Foundry Co.          | 12.00   |         |         |          |
| Lake Shore Harley Davidson      | 12.00   |         |         |          |
| Lakeland Bus                    | 12.00   | 12.00   | 12.00   |          |
| Lake View Restaurant            | 24.00   | 24.00   | 24.00   | 18.00    |
| Lanathan's                      | 28.00   |         |         |          |
| Larry's Arco                    | 15.00   |         |         |          |
| Larsen & Petersen               | 13.00   |         |         |          |
| Ronald M. Larsen - 1            | 12.00   |         |         |          |
| Ronald M. Larsen - 2            | 12.00   |         |         |          |
| Ronald M. Larsen - 3            | 12.00   |         |         |          |
| M. Larsen Bldg. Acct.           | 12.00   |         |         |          |
| Layson Productions              | 16.00   |         |         |          |
| Leath's Colonial Village        | 32.00   |         |         |          |
| Leath Furniture                 | 75.00   |         |         |          |
| Joseph Legat                    | 12.00   |         |         |          |
| Ray Lemersal                    | 10.00   |         |         |          |
| Leno's Sub Sandwiches           | 17.00   |         |         |          |
| Liberty Oil Co.                 | 6.00    |         |         |          |
| Liedholm TV                     | 6.00    |         |         |          |
| Life Like Products              | 35.00   |         |         |          |
| Lil' Bear Restrnt               | 35.00   |         |         |          |
| Lindberg's Mens' Shop           | 7.50    |         |         |          |
| Lite House Lounge               | 6.00    |         |         |          |
| Lithunian Auditorium            | 17.00   |         |         |          |
| Little Food Store               | 25.00   |         |         |          |
| Little Fort Speedway            | 5.00    |         |         |          |
| Mrs. Audrey Lolmaugh            | 17.00   |         |         |          |
| Lopez Gift Shop                 | 8.00    |         |         |          |
| Louie's Pizza                   | 55.00   | 55.00   |         |          |
| S. Lovinger                     | 13.00   |         |         |          |
| Lovinger Real Estate - 1        | 15.00   |         |         |          |
| Lovinger Real Estate - 2        | 16.00   |         |         |          |
| Lovinger Real Estate - 3        | 12.00   |         |         |          |
| Lowrey Music Center             | 8.00    |         |         |          |
|                                 | 1093.50 | 159.00  | 38.00   | 18.00    |

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| NAME                      | 30 days | 60 d   | 90 days | 120 d |
|---------------------------|---------|--------|---------|-------|
| M B Food Mart             | 25.00   |        |         |       |
| M B Food Mart apt. bldg.  | 15.00   |        |         |       |
| Realty                    | 5.00    |        |         |       |
| Reg-estie Auto Body       | 12.00   | 12.00  |         |       |
| Edward Maki               | 17.00   |        |         |       |
| Wall Shoe Repair          | 2.00    | 2.00   | 2.00    |       |
| Mandarin Restrant         | 30.00   |        |         |       |
| Manifold Products         | 3.00    |        |         |       |
| The Marathon              | 30.00   |        |         |       |
| Marc Apartments           | 17.00   |        |         |       |
| Marine Investment Co.     | 35.00   |        |         |       |
| Marocco's Lounge          | 28.00   | 28.00  |         |       |
| Tony Markoutsis           | 4.00    |        |         |       |
| Mar-Lou Building          | 15.00   |        |         |       |
| Markiz Paint Co.          | 8.00    |        |         |       |
| Marquette Cement Mfg. Co. | 5.00    |        |         |       |
| Martin Oil Service, Inc.  | 20.00   |        |         |       |
| Marty's Sign Co.          | 6.00    | 6.00   |         |       |
| Mary Lester Fabrics - 1   | 17.00   |        |         |       |
| Mary Lester Fabrics - 2   | 16.00   |        |         |       |
| McCormick's Grocery       | 30.00   |        |         |       |
| Mrs. T. McGuire           | 12.00   | 12.00  |         |       |
| McKinney Steel & Sales    | 12.00   |        |         |       |
| Meister Frau Beer         | 12.00   |        |         |       |
| Melrose-Patrick Apts.     | 35.00   |        |         |       |
| Menecraft Co.             | 17.00   | 17.00  |         |       |
| Mark Metcalf              | 12.00   |        |         |       |
| J. Meyer & Co.            | 25.00   |        |         |       |
| Mi Rosita Restaurant      | 12.00   |        |         |       |
| Mid America Films         | 32.00   |        |         |       |
| Mid America Sales         | 4.00    |        |         |       |
| Midwest Furnace Co.       | 40.00   |        |         |       |
| Midwest Houlding & Mfg.   | 55.00   |        |         |       |
| Midwest Travel King       | 5.00    |        |         |       |
| Mike's Citgo              | 14.00   |        |         |       |
| Mike's Restaurant         | 60.00   | 60.00  |         |       |
| The Mill Outlet           | 10.00   | 10.00  | 10.00   | 50.00 |
| Dan Miller bldg.          | 20.00   |        |         |       |
| G. L. Miller bldg. - 1    | 15.00   |        |         |       |
| G. L. Miller bldg. - 2    | 20.00   |        |         |       |
| G. L. Miller Motors       | 38.00   |        |         |       |
| Mrs. Edward Miltimore     | 14.00   |        |         |       |
| Minnesota Fats            | 3.00    |        |         |       |
| Mobil Service - 1         | 8.00    | 8.00   |         |       |
| Mobil Service - 2         | 8.00    |        |         |       |
| Modern America Finance    | 5.00    |        |         |       |
| John Moriates             | 8.00    | 8.00   | 8.00    |       |
| Clara Morris              | 12.00   | 12.00  | 12.00   |       |
| L. A. Morris, Jr.         | 12.00   |        |         |       |
| Motor Psycho              | 12.00   |        |         |       |
| Mr. Salt Fish & Chips     | 48.00   |        |         |       |
| Mumford Electric          | 4.00    | 4.00   |         |       |
| Musie Land                | 15.00   |        |         |       |
| Discount Records          | 10.00   |        |         |       |
| National Biscuit Co.      | 30.00   |        |         |       |
| National Budget           | 3.00    |        |         |       |
|                           | 1432.00 | 179.00 | 32.00   | 50.00 |

| NAME                       | 30 days | 60 days | 90 days | 120 days |
|----------------------------|---------|---------|---------|----------|
| Kurt D. Mauta - 1          | 15.00   |         |         |          |
| Kurt D. Mauta - 2          | 12.00   |         |         |          |
| Mode Hosiery               | 5.00    |         |         |          |
| Map N' Sip Tavern          | 14.00   |         |         |          |
| Frank Nolan Insurance      | 12.00   |         |         |          |
| Nordic Tool                | 12.00   |         |         |          |
| North Avenue Laundry       | 5.00    |         |         |          |
| North Chicago Import Autos | 12.00   |         |         |          |
| North Shore Furniture      | 8.00    |         |         |          |
| North Shore Marine         | 4.00    |         |         |          |
| North Shore Savings        | 17.00   | 4.00    | 4.00    | 20.00    |
| North Shore Sign Co.       | 5.00    |         |         |          |
| North Tower Apartments     | 40.00   |         |         |          |
| Northern Packaging         | 6.00    |         |         |          |
| OMC Distributing           | open    |         |         |          |
| O'Brien Heating            | 16.00   |         |         |          |
| Phil O'Donnell             | 6.00    |         |         |          |
| The Offset Shop            | 6.00    |         |         |          |
| Old Master Crafters        | 8.00    |         |         |          |
| One Hour Martinizing       | 12.00   |         |         |          |
| Open Pantry - 1            | 37.50   |         |         |          |
| Open Pantry - 2            | 30.00   |         |         |          |
| Ovaska Construction        | 5.00    | 30.00   | 30.00   |          |
| P & J Barber Shop          | 3.00    | 5.00    | 5.00    |          |
| P & C Lounge               | 16.00   |         |         |          |
| Panda House                | 75.00   | 16.00   | 16.00   |          |
| Panel Tone Salerno         | 12.00   |         |         |          |
| V. Paparigian              | 9.00    |         |         |          |
| Par Management Co.         | 5.00    |         |         |          |
| Patton Screw Products      | 40.00   |         |         |          |
| Dr. E. O. Payne            | 3.00    |         |         |          |
| Park Theatre Corp.         | 7.00    |         |         |          |
| Parker's Launderette       | 17.00   |         |         |          |
| Pearce's Corner            | 30.00   |         |         |          |
| Pearl's Launderette        | 10.00   | 30.00   | 30.00   |          |
| Dr. B. J. Pecaro           | 10.00   |         |         |          |
| J. W. Peterson Plumbing    | 12.00   |         |         |          |
| Pete's Barber Shop         | 3.00    |         |         |          |
| Petrolane Gas Service      | 12.00   |         |         |          |
| John Petropoulos           | 6.00    |         |         |          |
| Petrusky's Service         | 5.00    | 6.00    | 6.00    |          |
| Pfanstiehl Chemical        | 34.00   |         |         |          |
| Phillip's Liquors          | 30.00   |         |         |          |
| Peter Phillips             | 12.00   |         |         |          |
| Phillips & Phillips        | 15.00   |         |         |          |
| Philmaid                   | 10.00   |         |         |          |
| Pickus Construction        | 12.00   |         |         |          |
| Pic-May Shoe Mart          | 24.00   |         |         |          |
| Pioneer Trust Building     | 18.00   |         |         |          |
| Pittsburgh Glass           | 20.00   |         |         |          |
| Pizza Hut - 1              | 32.00   |         |         |          |
| Pizza Hut - 2              | 32.00   |         |         |          |
| P. Motor Supply            | 17.00   | 32.00   |         |          |
| Plasticon                  | 62.00   |         |         |          |
| Plaza Cleaners             | 5.00    |         |         |          |
| Plaza Currency Exchange    | 3.00    |         |         |          |
|                            | 888.52  | 123.00  | 91.00   | 20.00    |

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| NAME                         | 30 days | 60 da | 90 days | 120 c  |
|------------------------------|---------|-------|---------|--------|
| Plaza Jewelers               | 4.00    |       |         |        |
| Plumber's Union Local 93     | 17.00   | 17.00 |         |        |
| Poly-Techniques              | 9.00    |       |         |        |
| Androsia Steak House         | 60.00   |       |         |        |
| Pool Room                    | 12.00   |       |         |        |
| Forett Bros., Inc.           | 35.00   |       |         |        |
| Porto Rican Society          | 13.00   |       |         |        |
| Potpourri II                 | 12.00   |       |         |        |
| Potter Pharmacy              | 20.00   |       |         |        |
| C. A. Potter                 | 12.00   |       |         |        |
| Elaine Power's Figure Salon  | 5.00    |       |         |        |
| Margarita Prevenas           | 12.00   | 12.00 | 12.00   | 153.0  |
| Printer's Ink                | 13.00   |       |         |        |
| Professional Building        | 8.00    |       |         |        |
| Progressive Power Equipment  | 8.00    |       |         |        |
| Andro Pucin Distributing Co. | 8.00    |       |         |        |
| Q. T. Clinax Engine Service  | 5.00    |       |         |        |
| RCA Service Company          | 12.00   |       |         |        |
| Rabin's Shoes                | 4.00    |       |         |        |
| Radio Shack - 1              | 15.00   | 15.00 |         |        |
| Radio Shack - 2              | 15.00   |       |         |        |
| Rainbow Lounge               | .00     | 3.00  |         |        |
| Ray's Mobil Service          | 8.00 ✓  | 3.00  |         |        |
| Redeemer Lutheran Church     | 7.00    |       |         |        |
| Regal Shoes                  | 6.00    |       |         |        |
| Meyer Reizman bldg. acct.    | 32.00   |       |         |        |
| Reliable Meat Market         | 16.00   | 16.00 | 16.00   | 43.0   |
| Richman Brothers Co.         | 14.00   |       |         |        |
| Felix Rivera                 | 12.00   |       |         |        |
| Rix Roast Beef               | 40.00   |       |         |        |
| Robert Hall Clothes          | 20.00   |       |         |        |
| Anthony S. Rodia             | 15.00   |       |         |        |
| Roland Haukegan Employment   | 5.00    |       |         |        |
| Rorry's                      | 8.00    |       |         |        |
| Gregario G. Rosa             | 5.00    |       |         |        |
| Roy's Freeway Service        | 7.00    |       |         |        |
| Robert E. Runyan bldg.       | 30.00   |       |         |        |
| The Rustic Manor             | 100.00  |       |         |        |
| Orin P. Ryan                 | 10.00   |       |         |        |
| S & R Standard Service       | 12.00   |       |         |        |
| Chas. J. Sachs Furniture     | 25.00   |       |         |        |
| Sample Furniture             | 35.00   |       |         |        |
| Dr. R. J. Sandee             | 4.00    |       |         |        |
| Sanpat, Ltd.                 | 12.00   |       |         |        |
| Save Gas 14292               | 17.00   |       |         |        |
| Aale Savel bldg. acct.       | 21.00   |       |         |        |
| Scandia Imports              | 4.00    | 4.00  | 4.00    |        |
| Schad, West & Asso.          | 5.50    |       |         |        |
| Harold J. Schafer            | 12.00   |       |         |        |
| Gene Schellinger             | 39.00   |       |         |        |
| Schiff Shoes                 | 8.00    |       |         |        |
| Frank Schmischka             | 20.00   |       |         |        |
| Mike Schrank's Smoke n' Gun  | 17.00   |       |         |        |
| S. tt's Bicycle Sales        | 20.00   |       |         |        |
| Mrs. Josephine Sears         | 12.00   |       |         |        |
| M. R. Seegren - 1            | 45.00   |       |         |        |
|                              | 1416.50 | 32.00 | 32.00   | 206.00 |

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| NAME                       | 30 days        | 60 days       | 90 days       | 120 days             |
|----------------------------|----------------|---------------|---------------|----------------------|
| W. R. Seegren - 2          | 22.00          |               |               |                      |
| W. R. Seegren - 3          | 21.00          |               |               |                      |
| W. R. Seegren - 4          | 22.00          |               |               |                      |
| W. R. Seegren - 5          | 22.00          |               |               |                      |
| W. R. Seegren - 6          | 22.00          |               |               |                      |
| W. R. Seegren - 7          | 22.00          |               |               |                      |
| Sono & Sons, Inc.          | 16.00          | 16.00         |               |                      |
| Service Car Wash           | 17.00          |               |               |                      |
| Servisoft                  | 12.00          |               |               |                      |
| 7-11 Food Store            | 30.00          |               |               |                      |
| 17 Hallmark Court          | 15.00          |               |               |                      |
| Shakey's Pizza Parlor      | 30.00          |               |               |                      |
| Shawall Temple             | 12.00          |               |               |                      |
| Sheraton-Waukegan Inn      | 40.00          |               |               |                      |
| Sheridan Mobil             | 8.00           |               |               |                      |
| Sheridan-Read-Tavern       |                |               |               |                      |
| Sheridan Wholesale Liquors | 12.00          |               |               |                      |
| Sherwin-Williams Co.       | 16.00          |               |               |                      |
| Sherwood House Restaurant  | 80.00          | 30.00         | 30.00         | 250.0                |
| Willard R. Shields bldg.   | 25.00          |               |               |                      |
| Shoreline Tailors          | 3.00           |               |               |                      |
| Shorty's Tavern            | 14.00          |               |               |                      |
| Simonian National          | 12.00          |               |               |                      |
| Howard Slocum bldg.        | 17.00          |               |               |                      |
| Smith-Custer Trust         | 10.00          |               |               |                      |
| Society Jewelers           | 5.00           |               |               |                      |
| Francisco Sotomallor       | 5.00           |               |               |                      |
| Spector Freight System     | 5.00           | 5.00          | 5.00          | 15.0                 |
| Spiegel, Inc.              | 17.00          |               |               |                      |
| Frank Spose bldg.          | 30.00          |               |               |                      |
| St. Joseph Church          | 28.00          |               |               |                      |
| St. Mikolas Church         | 5.00           |               |               |                      |
| Milton E. Staben & Assc.   | 17.00          |               |               |                      |
| Wm. R. Stanczak bldg.      | 15.00          |               |               |                      |
| Standard Builders bldg.    | 30.00          |               |               |                      |
| Standard Oil Agent         | 10.00          |               |               |                      |
| Star Apartments            | 20.00          |               |               |                      |
| Stardust Hotel             | 14.00          |               |               |                      |
| Steven's Waukegan Bedding  | 17.00          | 17.00         | 17.00         |                      |
| Stitching Post             | 9.00           | 9.00          | 9.00          |                      |
| Stitching Post extra       | 155.00         |               |               |                      |
| Storey's Mens Wear         | 16.00          |               |               |                      |
| Strang Automotive          | 12.00          |               |               |                      |
| Stuart's 495               | 16.00          |               |               |                      |
| Sunset Center Speed Wash   | 10.00          |               |               |                      |
| Sunset Texaco              | 15.00          | 15.00         |               |                      |
| Super Cycle                | 12.00          | 12.00         | 12.00         | 15.00                |
| Susman's                   | 13.00          |               |               |                      |
| Suzuki of Waukegan         | 17.00          |               |               |                      |
| Swan Cleaners              | 3.00           |               |               |                      |
| W. Howard Swanson - 1      | 16.00          |               |               |                      |
| W. Howard Swanson - 2      | 22.00          |               |               |                      |
| Swedish Glee Club          | 45.00          |               |               |                      |
| Swiss                      | 20.00          | 20.00         | 20.00         |                      |
| Eugene H. Tapia, M.D.      | 8.00           | 1.00          | 8.00          |                      |
| Paul Taulu Aquatic Eng.    | 4.00           |               |               |                      |
| Taylor Furniture warehouse | 45.00          |               |               |                      |
|                            | <u>1161.00</u> | <u>152.00</u> | <u>151.00</u> | <u>290.0</u><br>(12) |

| <u>NAME</u>                | <u>30 days</u> | <u>60 day</u> | <u>90 days</u> | <u>120 da</u> |
|----------------------------|----------------|---------------|----------------|---------------|
| Bettie D. Taylor           | 12.00          |               |                |               |
| Chas R. Teas Co.           | 8.00           |               |                |               |
| Ed's Log Cabin             | 60.00          |               |                |               |
| Ed's Log Cabin Bar         | 10.00          |               |                |               |
| Fee Pee Liquor Mart        | 60.00          | 15.00         |                |               |
| Fems Luggage               | 12.00          |               |                |               |
| Terlap Roofing Co.         | 12.00          |               |                |               |
| Terrace Nursing Home       | 50.00          |               |                |               |
| Tex-Gas                    | 16.00          |               |                |               |
| Tic Toc Club               | 7.00           | 7.00          |                | 37.50         |
| Time Saver Tools, Inc.     | 12.00          |               |                |               |
| Time Table Tavern          | 8.00           |               |                |               |
| Times Theatre              | 10.00          | 10.00         |                |               |
| C. Todorovich              | 10.00          |               |                |               |
| Peter Tombras              | 16.00          |               |                |               |
| Tom & Ron's Beauty         | 7.00           |               |                |               |
| Tom's Bel-Aire Beauty      | 10.00          |               |                |               |
| The Towers                 | 65.00          |               |                |               |
| Town & Country Ceramics    | 6.00           | 6.00          |                |               |
| Toyota of Waukegan         | 20.00          | 20.00         |                |               |
| Travelodge                 | 24.00          |               |                |               |
| Tress-Chic Wig Boutique    | 5.00           |               |                |               |
| Triform Corp. - 1          | 35.00          |               |                |               |
| Triform Corp. - 2          | 17.00          |               |                |               |
| Trojan Egg Co.             | 5.00           |               |                |               |
| Twin City Auto Parts       | 12.00          |               |                |               |
| Union Club                 | 5.00           |               |                |               |
| Union 76 Service           | 8.00           |               |                |               |
| United Rent-Alls           | 4.00           |               |                |               |
| United Steel Workers       | 7.00           |               |                |               |
| Universal Restaurant       | 26.00          |               |                |               |
| Hilton V. Urbates          | 10.00          |               |                |               |
| Vanek Bros Motor Service   | 16.00          |               |                |               |
| Vanity Fair                | 12.00          | 12.00         | 13.00          |               |
| Velez Grocery              | 12.00          |               |                |               |
| Vic's Barber Shop          | 3.00           | 3.00          |                |               |
| Vision Service, Inc.       | 4.00           |               |                |               |
| Volkswagen Waukegan - 1    | 23.00          |               |                |               |
| Volkswagen Waukegan - 2    | 16.00          |               |                |               |
| Siegfried Voltl            | 15.00          |               |                |               |
| Walgreen Drugs - 1         | 75.00          |               |                |               |
| Walgreen Drugs - 2         | 45.00          |               |                |               |
| Walgreen Drugs - 3         | 60.00          |               |                |               |
| Wards Cleaners             | 5.00           |               |                |               |
| Washington Apartments      | 16.00          | 16.00         |                |               |
| Washington Sunoco          | 12.00          | 12.00         |                |               |
| Washington Texaco Service  | 15.00          |               |                |               |
| Washington Tire            | 26.00          |               |                |               |
| Waukegan Alano Club        | 3.50           | 3.50          |                |               |
| Waukegan America Finance   | 5.00           |               |                |               |
| Waukegan Black & White Cab | 5.00           |               |                |               |
| Waukegan Bridge Center     | 3.00           |               |                |               |
| Waukegan Building          | 25.00          |               |                |               |
| Waukegan Clean Towel       | 12.00          |               |                |               |
| Waukegan Coin & Supply     | 7.00           |               |                |               |
| Waukegan Color Supply      | 8.00           |               |                |               |
| Waukegan Dental Lab        | 12.00          |               |                |               |
|                            | <u>1015.50</u> | <u>110.50</u> | <u>18.00</u>   | <u>37.5</u>   |

(13)



| NAME                        | 30 days | 60 days | 90 days | 120 days |
|-----------------------------|---------|---------|---------|----------|
| Waukegan Dry Goods          | 50.00   |         |         |          |
| Waukegan Glass Company      | 40.00   |         |         |          |
| Waukegan Marine Company     | 23.00   | 23.00   |         |          |
| Waukegan Music Mart         | 10.00   |         |         |          |
| Waukegan-North Chicago      |         |         |         |          |
| Chamber of Commerce         | 5.00    |         |         |          |
| Waukegan-North Chicago      |         |         |         |          |
| Transit                     | 32.00   |         |         |          |
| Waukegan 1 Hr. Martinizing  | 3.00    |         |         |          |
| Waukegan Paint & Lacquer    | 12.00   |         |         |          |
| Waukegan Pavilion           | 32.00   |         |         |          |
| Waukegan Physicians &       |         |         |         |          |
| Surgeons Building           | 25.00   |         |         |          |
| Waukegan Produce            | 33.00   | 33.00   | 33.00   |          |
| Waukegan Sawyer College     | 12.00   |         |         |          |
| Waukegan School of Beauty   | 10.00   | 10.00   | 10.00   | 10.00    |
| Waukegan Servicemens'       |         |         |         |          |
| Center, Inc.                | 12.00   | 12.00   | 12.00   |          |
| Waukegan Tile & Floor       | 8.00    |         |         |          |
| Waukegan Toy Center         | 7.50    |         |         |          |
| Waukegan Storage & Warehs.  | 16.00   |         |         |          |
| Waukegan Yacht Club         | 30.00   |         |         |          |
| Weigel Service Center       | 17.00   |         |         |          |
| Wendy's Restaurant          | 17.00   |         |         |          |
| Wendricks-White, Inc.       | 14.00   | 14.00   | 14.00   | 160.00   |
| West Equity Properties      | 10.00   |         |         |          |
| Westmark, Inc.              | 56.00   |         |         |          |
| Western Union               | 10.00   |         |         |          |
| Westside Pet Shop           | 17.00   |         |         |          |
| Whalen Moving & Storage     | 18.00   | 13.00   |         |          |
| Wheel Travel                | 5.00    | 5.00    |         |          |
| Wheeler Dealers             | 12.00   |         |         |          |
| White Hen Pantry            | 20.00   |         |         |          |
| Whitney, Hoyt & Biggerstaff | 4.00    |         |         |          |
| Wigland Fashions            | 8.00    |         |         |          |
| Paul Wilhelm - 1            | 5.00    |         |         |          |
| Paul Wilhelm - 2            | 4.00    |         |         |          |
| Paul Wilhelm - 3            | 16.00   |         |         |          |
| James Williard              | 4.00    |         |         |          |
| Willow Apartments           | 12.00   |         |         |          |
| Jack Winter's Buick         | 85.00   |         |         |          |
| J. L. Wittmer               | 10.00   |         |         |          |
| Earl Wobeck - 1             | 12.00   |         |         |          |
| Earl Wobeck - 2             | 5.00    |         |         |          |
| Wonder Wash                 | 12.00   |         |         |          |
| A. W. Woods                 | 12.00   |         |         |          |
| F. W. Woolworth Co. - 1     | 70.00   |         |         |          |
| F. W. Woolworth Co. - 2     | 30.00   |         |         |          |
| Frank P. Morac & Assc.      | 8.00    |         |         |          |
| YMCA                        | 24.00   |         |         |          |
| Yankee Doodle - 1           | 45.00   |         |         |          |
| Yankee Doodle - 2           | 45.00   |         |         |          |
| Yee Chinese Laundry         | 17.00   |         |         |          |
| Yellow Cab Company          | 6.00    |         |         |          |
| ZRL Corp/Caesar's Restrnt   | 65.00   |         |         |          |
| H. P. Zagoras               | 15.00   |         |         |          |
| Ziebart Rustproofing        | 12.00   |         |         |          |
| Daniel Zielinski            | 15.00   |         |         |          |
|                             | 1155.50 | 124.00  | 69.00   | 170.00   |

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| NAME                       | 30 days | 60 day | 90 days | 120 da |
|----------------------------|---------|--------|---------|--------|
| Aladdin Flower Shop        | 5.00    |        |         |        |
| Allstate Insurance         | 17.00   |        |         |        |
| American National Bank     | 28.00   |        |         |        |
| Jensen Bros. Service       | 7.00    |        |         |        |
| B & J Builders Trust       | 15.00   |        |         |        |
| Badger Egg Company         | 49.50   |        |         |        |
| Harold Birky               | 6.00    |        |         |        |
| Bowl-Haven Apartment       | 18.00   |        |         |        |
| BPO Elk's Club             | 30.00   | 30.00  |         |        |
| Mrs. Catherine Brown       | 10.00   |        |         |        |
| Burgandy Room              | 20.00   |        |         |        |
| Burkhart's Bottle Shop     | 30.00   | 30.00  |         |        |
| Caples Photo Co., Inc.     | 12.00   |        |         |        |
| Mrs. J. Champlin           | 15.00   |        |         |        |
| Chicago Title & Trust Co.  | 20.00   |        |         |        |
| Citizen's National Bank    | 10.00   |        |         |        |
| Clark Oil & Refining Corp. | 86.00   |        |         |        |
| Dairy Queen, 1502 Grand    | 25.00   |        |         |        |
| Delf's Garage              | 15.00   |        |         |        |
| Del Mar Cleaners           | 8.00    |        |         |        |
| Denny's Arco Service       | 17.00   |        |         |        |
| Denson's Apt. Bldg.        | 16.00   | 16.00  | 16.00   | 349.00 |
| Dependable Plumbing        | 00      |        |         |        |
| Electronic Distributors    | 17.00   |        |         |        |
| Blanche Field - 1          | 22.00   |        |         |        |
| Blanche Field - 2          | 13.00   |        |         |        |
| Blanche Field - 3          | 18.00   |        |         |        |
| Frolic Lounge              | 5.00    |        |         |        |
| Glen Flora Apt. East       | 16.00   |        |         |        |
| Grand Avenue Lumber        | 65.00   |        |         |        |
| Grand Bowl                 | 17.00   |        |         |        |
| Grand Music Center         | 3.00    | 3.00   |         |        |
| Dr. Robert Grayson         | 3.00    | 1.00   |         |        |
| Green Mill Cleaners        | 22.50   |        |         |        |
| Greenwood Pure Oil         | 8.00    |        |         |        |
| Lola S. Henry              | 12.00   |        |         |        |
| Henry's of Waukegan        | 40.00   | 40.00  |         |        |
| Carlos Hidalgo             | 12.00   | 12.00  | 12.00   | 12.00  |
| Ho Wah Restaurant -        | 22.00   |        |         |        |
| Interstate Electric        | 15.00   |        |         |        |
| Irene's Beauty Salon       | 4.00    |        |         |        |
| J M Club, Inc.             | 20.00   |        |         |        |
| Jiffy Cleaners             | 12.00   |        |         |        |
| K & K Rugs & Carpets       | 10.00   |        |         |        |
| Karcher Hotel Company      | 46.00   |        |         |        |
| Kelly Hardware Company     | 8.00    |        |         |        |
| Carl J. Kisill             | 20.00   |        |         |        |
| Lane's Dress Shop          | 6.00    |        |         |        |
| Fred Losch Beverage Co.    | 16.00   |        |         |        |
| Louie's Smoked Fish Co.    | 5.00    |        |         |        |
| Mrs. Niels Madsen          | 5.00    |        |         |        |
| Stanley Markoutsis         | 12.00   |        |         |        |
| Mathon's                   | 72.00   |        |         |        |
| son's Foods                | 13.50   | 13.50  |         |        |
|                            | 1037.50 | 150.50 | 28.00   | 361.00 |

| NAME                       | 0 days        | 60 days      | 90 days      | 120 days     |
|----------------------------|---------------|--------------|--------------|--------------|
| McDonald's - 1             | 43.00         |              |              |              |
| McDonald's - 2             | 60.00         |              |              |              |
| McDonough Plumbing         | 16.00         |              |              |              |
| Merchant Moving            | 15.00         |              |              |              |
| Merlock Bros. Service      | 20.00         | 15.00        | 15.00        | 60.00        |
| Michael-Mills TV           | 4.00          |              |              |              |
| Midwest Bronze & Alum.     | 15.00         |              |              |              |
| G. L. Miller - 1           | 15.00         |              |              |              |
| G. L. Miller - 2           | 13.00         | 15.00        |              |              |
| Cecil Miller               | 18.00         |              |              |              |
| Mobil Service (Jones)      | 5.00          |              |              |              |
| Donald Moitzfield          | 10.00         |              |              |              |
| Mordhorst Transfer         | 50.00         |              |              |              |
| Neisner Bros. - 1          | 25.00         |              |              |              |
| Neisner Bros. - 2          | 10.00         |              |              |              |
| Jack Neids, Inc.           | 8.00          |              |              |              |
| 935 Medical Building       | 14.00         |              |              |              |
| Nishan Shoe Repair         | 5.00          |              |              |              |
| Northern Supply Company    | 3.00          |              |              |              |
| Olson Oil Co., Inc.        | 12.00         | 3.00         | 3.00         | 15.00        |
| Orchard Lane Medical Bldg. | 42.00         |              |              |              |
| Pallas Service Station     | 17.00         |              |              |              |
| C. M. Parker               | 8.00          |              |              |              |
| The Pet Shop               | 22.00         |              |              |              |
| Paul Pettengill & Co.      | 15.00         | 22.00        |              |              |
| Phillips 66 Service        | 14.00         |              |              |              |
| Pittsburgh Paint Center    | 7.00          |              |              |              |
| Poe & Poe, Inc.            | 15.00         |              |              |              |
| Folk Bros.                 | 42.00         |              |              |              |
| Red's Standard Service     | 12.00         |              |              |              |
| Ralph Robertson            | 10.00         |              |              |              |
| Ed Rodbro - 1              | 6.00          |              |              |              |
| Ed Rodbro - 2              | 13.00         |              |              |              |
| R. Rosenthal               | 22.00         |              |              |              |
| St. Demetrios Church       | 16.00         |              |              |              |
| Sorensen 66 Service        | 7.00          |              |              |              |
| Spaulding School           | 50.00         |              |              |              |
| Robert W. Stephens         | 12.00         |              |              |              |
| Hugh Tablin                | 12.00         |              |              |              |
| Tentes & Barnick           | 10.00         |              |              |              |
| Peter Tombras              | 10.00         |              |              |              |
| Top O' the Morn            | 27.00         |              |              |              |
| Town Club                  | 6.00          |              |              |              |
| Trinity Outreach Unlmted.  | 5.00          |              |              |              |
| Veneman's Paint & Gift     | 25.00         | 5.00         | 5.00         | 5.00         |
| Wal-Ban, Inc.              | 12.00         |              |              |              |
| Walt & Dan's Shell         | 17.00         |              |              |              |
| Waukegan Fish Co.          | 28.00         |              |              |              |
| Waukegan Jack Donelson Sls | 20.00         |              |              |              |
| Waukegan Shopping Plaza    | 45.00         |              |              |              |
| West's Insurance Agency    | 14.00         |              |              |              |
| Carl Zeit, DDS             | 3.00          |              |              |              |
|                            | <u>735.00</u> | <u>40.00</u> | <u>23.00</u> | <u>80.00</u> |

# WEDGAM DISPOSAL SERVICE

## PREPAID ACCOUNTS

| NAME                          | PAYD  | DATE              |
|-------------------------------|-------|-------------------|
| Bennett Crane Service         | 45.60 | 1/1/72 - 12/31/72 |
| Brant Uniforms                | 45.60 | 1/1/72 - 12/31/72 |
| Conolly & Company             | 57.00 | 1/1/72 - 12/31/72 |
| Crav's Travel Service         | 10.50 | 1/1/72 - 3/31/72  |
| Mr. Joe Drinka                | 60.00 | 1/1/72 - 5/31/72  |
| The Edward Apartments         | 71.25 | 1/1/72 - 5/31/72  |
| Reinberg's                    | 79.30 | 1/1/72 - 12/31/72 |
| Fresh Foods                   | 50.00 | 4/1/72 - 4/15/72  |
| Gale Beauty Supply            | 79.80 | 1/1/72 - 12/31/72 |
| Gordon's Auto Parts           | 36.00 | 1/1/72 - 3/31/72  |
| Greenwood Professional Bldg.  | 36.00 | 1/1/72 - 12/31/72 |
| Handi-Tap of Ill., Inc.       | 51.00 | 2/1/72 - 4/30/72  |
| Albert Klein - 1              | 28.50 | 1/1/72 - 6/30/72  |
| Albert Klein - 2              | 57.00 | 1/1/72 - 12/31/72 |
| Lucky's Service               | 72.00 | 1/1/72 - 12/31/72 |
| Mar's Dymenile                | 36.00 | 1/1/72 - 6/30/72  |
| Robert J. Day                 | 60.00 | 1/1/72 - 5/31/72  |
| Netro-Laukegan Account        | 18.00 | 1/1/72 - 3/31/72  |
| Mid-America Chapter Red Cross | 24.00 | 1/1/72 - 6/30/72  |
| Modular Technology            | 13.00 | 1/1/72 - 3/31/72  |
| Curtis Petersen               | 48.00 | 1/1/72 - 12/31/72 |
| Seneca Studio                 | 10.50 | 1/1/72 - 3/31/72  |
| Sheridan Road Tavern          | 12.00 | 1/1/72 - 3/31/72  |
| Ed Stauber Hardware           | 27.00 | 1/1/72 - 3/31/72  |
| Suburba Hardware              | 60.00 | 1/1/72 - 6/30/72  |
| Tom's Del-Aire Beauty         | 30.00 | 3/1/72 - 5/31/72  |
| Waukegan Frozen Foods         | 55.00 | 2/1/72 - 12/31/72 |
| Yesterday's Castaways         | 18.00 | 1/1/72 - 6/30/72  |

PAID/03

|                         |        |                   |
|-------------------------|--------|-------------------|
| Aladdin Flower Shop     | 49.00  | 1/1/72 - 7/31/72  |
| Mos. F. Bleck, Arch.    | 60.00  | 1/1/72 - 12/31/72 |
| Booth, Schwager & Assc. | 72.00  | 1/1/72 - 12/31/72 |
| Cepon's Food Mart       | 18.00  | 1/1/72 - 6/30/72  |
| Dretske's Studio        | 12.00  | 1/1/72 - 3/31/72  |
| First Federal Savings   | 114.00 | 1/1/72 - 12/31/72 |
| Homer Bahringer Post    | 144.00 | 1/1/72 - 12/31/72 |
| Ed Sauter               | 30.00  | 1/1/72 - 6/30/72  |
| Strang's Auto Service   | 60.00  | 1/1/72 - 12/31/72 |
| Yellan's Produce        | 45.00  | 1/1/72 - 3/31/72  |
| Yeoman Jewelers         | 18.00  | 1/1/72 - 6/30/72  |

NOTES

|                    |       |                  |
|--------------------|-------|------------------|
| Dick Schwartz      | 27.00 | 1/1/72 - 9/30/72 |
| William Storman    | 13.00 | 1/1/72 - 6/30/72 |
| Aurelio Villarreal | 27.00 | 1/1/72 - 9/30/72 |

153.55

Please note that there are three accounts 120 days.  
They are Alter Trucking #025 and #030 and Lake County  
Movers, Inc. The leases and service agreements were  
not set up at that time. All three are currently on  
a 30 days basis.

# SUMMARY OF ACCOUNTS RECEIVABLE

| <u>PAGE NUMBER</u> | <u>30 DAYS</u>  | <u>60 DAYS</u> | <u>90 DAYS</u> | <u>120 DAYS</u> |
|--------------------|-----------------|----------------|----------------|-----------------|
| Page 1             | 9431.47         | 2378.70        | 1332.95        | 3166.30         |
| Page 2             | 5953.39         | 342.50         | 9.00           | 223.00          |
| Page 3             | 777.00          | 34.50          | 29.00          | 163.00          |
| Page 4             | 1268.75         | 307.00         | 124.00         | 24.00           |
| Page 5             | 889.50          | 273.00         | 89.00          | 303.00          |
| Page 6             | 320.50          | 417.00         | 198.00         | 249.75          |
| Page 7             | 1118.50         | 132.00         | 137.00         | 86.00           |
| Page 8             | 1092.50         | 159.00         | 38.00          | 18.00           |
| Page 9             | 1032.00         | 179.00         | 32.00          | 50.00           |
| Page 10            | 836.30          | 123.00         | 91.00          | 20.00           |
| Page 11            | 1010.50         | 50.00          | 32.00          | 205.00          |
| Page 12            | 1100.00         | 132.00         | 151.00         | 290.00          |
| Page 13            | 1015.50         | 110.50         | 18.00          | 37.50           |
| Page 14            | 1158.50         | 121.00         | 69.00          | 170.00          |
| Page 15            | 1037.50         | 150.50         | 28.00          | 361.00          |
| Page 16            | 935.00          | 60.00          | 23.00          | 80.00           |
|                    | <u>29590.11</u> | <u>5154.70</u> | <u>2400.95</u> | <u>5430.03</u>  |

Prepaid accounts total 1390.55.

(19)

(1) Notes Receivable - Superior

This was a purchase by Superior Disposal Service from Knudsen Disposal Service of a number of household stops in which, Superior would pay Knudsen \$1000.00 upon execution of the agreement and the balance on a promissory note at 10% simple interest. The balance in the account as of March 31, 1972 according to the general ledger is \$6535.70. The balance according to the adjustments was \$6534.05.

(2) Notes Receivable - Knudsen

This was a purchase by Delta Disposal Service of some household stops. In Addition, Delta agreed to purchase some equipment. The note was secured by 5000 shares of stock in Delta Disposal. The balance in the account is 17,987.90 as of March 31, 1972.

Larsen & Peterson Paint Co

Deposition Excerpts



1 IN THE UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF ILLINOIS  
3 EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., ) V.I  
6 Plaintiffs, )  
7 v. ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
9 Defendants. ) Magistrate Judge Rosemond

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The deposition of OLE KIRKEGAARD, called  
as a witness for examination, taken pursuant to the  
Federal Rules of Civil Procedure of the United  
States District Courts pertaining to the taking of  
depositions, taken before MELANIE JAKUS, a Notary  
Public within and for the County of DuPage, State  
of Illinois, and a Certified Shorthand Reporter of  
said state, at Suite 7200, 233 South Wacker Drive,  
Chicago, Illinois, on the 28th day of July, A.D.  
1993, at 9:30 a.m.

1 Q. Who?  
2 A. B-r-a-n-d-t Jewelry business, Waukegan  
3 School of Cosmetics.  
4 Q. Cosmetics?  
5 A. Yes.  
6 Q. Okay.  
7 A. There was a bakery in there, too. I  
8 have got to think of the name of that.  
9 Q. Well, if you can't recall, where did you  
10 go after that?  
11 A. Then I went across and picked up Percus  
12 right on Madison and Genessee on the corner there,  
13 came back, crossed the street and went down another  
14 alley, picked up about 15 accounts down that alley  
15 till I came out on Clayton Street, between Madison  
16 and Clayton. There was 15 stops on there.  
17 Q. There were 15 stops?  
18 A. 15, yes.  
19 Q. Do you remember any of those?  
20 A. Woolworth's was one of them, but I had  
21 to come back and pick them up later on after 9:00  
22 o'clock. Some of those accounts I couldn't get  
23 into early in the morning. If we started early  
24 like 4:30 in the morning, we pick up all the

1 accounts you get into. As I went north and picked  
2 up all these accounts, I had to backtrack down  
3 again to pick up about six or seven inside accounts  
4 that didn't open before 8:30, 9:00 o'clock -- or  
5 7:00 o'clock, I'm sorry, later on. Between 7:00  
6 and 8:00.  
7 Q. Okay.  
8 A. Yes.  
9 Q. Well, why don't you keep going then.  
10 Where did you go after that?  
11 A. Clayton up to Grand Avenue. Here is  
12 Grand where I picked up -- there was an A&P store  
13 at Grand and Genessee right in the corner here, and  
14 across the street there was a Larsen & Petersen  
15 Paint Store (indicating).  
16 MR. RANDOLPH: Just hold on one second. Let  
17 me mark those so we have them.  
18 He's made a pink spot, which I have  
19 marked with "A&P."  
20 THE WITNESS: Right.  
21 MR. RANDOLPH: And the second pink spot across  
22 the street on Genessee, which I have marked with  
23 "Larsen & Pedersen."  
24 THE WITNESS: Paint.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 Q. Can you estimate approximately how many  
2 yards of waste a day would have been contained in  
3 those 32-gallon containers?  
4 A. They also had boxes next to them, so I  
5 would say about two to three yards a day.  
6 Q. Do you recall the nature of the type of  
7 waste that was in those containers?  
8 A. Corrugated. They had food trash, too,  
9 and office papers and so on.  
10 Q. Where was their waste taken to?  
11 A. Yeoman Creek and Edwards Field.  
12 Q. Do you recall a company located in  
13 downtown Waukegan known as Larsen & Petersen Paint  
14 Company?  
15 A. Yes.  
16 Q. Where were they located?  
17 A. North Genesee Street.  
18 Q. Do you recall who handled their waste  
19 during the 1960s?  
20 A. Waukegan Disposal Service.  
21 Q. What route?  
22 A. Downtown route.  
23 Q. What period of the sixties? Was it  
24 throughout the whole sixties or some portion?

1 A. Throughout the whole sixties.  
2 Q. Did you personally handle their waste?  
3 A. Yes.  
4 Q. Could you describe the physical area in  
5 which you picked up their waste?  
6 A. The building was located on the east  
7 side of Genesee Street about a block north of Grand  
8 Avenue. The pickup area was on the north side of  
9 the building. We backed in from the street at the  
10 parking lot way back in the end of the building to  
11 the east. They had an area there on the corner  
12 there where they had a bunch of cans, 55-gallon  
13 steel cans, and they also -- when we got there,  
14 they also came out, opened the door on the corner  
15 there and came out with stuff, with some fiber  
16 drums full of paint cans at that time.  
17 Q. Do you recall approximately how many  
18 yards there would be on a typical pickup at Larsen  
19 & Petersen?  
20 A. I would say they had four to six 55  
21 gallon I would say and a bunch of corrugated and  
22 paint cans. I would say about four to six yards  
23 each pickup.  
24 Q. How many days per week?

1 A. That was Monday, Wednesday, Friday.  
2 Q. Do you recall any specific individual  
3 you dealt with at Larsen & Petersen?

4           A.     I can't recall his name, no.  
5           Q.     Okay. Now, you talked about paint cans  
6 that were in the fiber drums.  
7                     Were those paint cans empty or full  
8 or --  
9           A.     Some was full, some was half full and  
10 some was empty.  
11          Q.     What type of materials were in the steel  
12 drums?  
13          A.     There was empty and half empty paint  
14 cans in them and office papers mixed.  
15          Q.     Okay.  
16          A.     Corrugated.  
17          Q.     Do you recall where the waste from  
18 Larsen & Petersen went?  
19          A.     That went to Yeoman Creek.  
20          Q.     Do you recall that there was a United  
21 States Post Office in downtown Waukegan?  
22          A.     Yes.  
23          Q.     Where was that located?  
24          A.     On north Genesee and Julian.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME II  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

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September 29, 1993  
9:40 a.m.

The deposition of MARVIN LEROY POWLES,  
SR. resumed pursuant to adjournment at Suite 7200,  
233 South Wacker Drive, Chicago, Illinois.

1 Q. What type of container or containers?  
2 A. One-yard container.  
3 Q. How many?  
4 A. One, I believe.  
5 Q. Was that a ground or a dock container?  
6 A. Ground.  
7 Q. Do you recall the nature of the waste in  
8 that container?  
9 A. Basically, all I remember was a lot of  
10 papers.  
11 Q. Anything else you recall about it?  
12 A. No.  
13 Q. How about Larsen & Petersen Paints? Do  
14 you recall that company?  
15 A. Yes.  
16 Q. Do you recall where they were located?  
17 A. Genesee Street, downtown Waukegan.  
18 Q. Did you pick up their waste?  
19 A. Yes.  
20 Q. On what route?  
21 A. On the commercial route.  
22 Q. What type of container did they use?  
23 A. They had their own garbage cans.  
24 Q. What volume?

1 A. 20 gallon, and I believe there was three  
2 of them.  
3 Q. Do you recall the nature of the waste in  
4 those garbage cans?  
5 A. Empty paint cans.  
6 Q. Now, you say "empty paint cans."  
7 Was there still wet paint in them or was  
8 it dried paint?  
9 A. No. It was basically dry.  
10 Q. Okay. Did you take those paint cans?  
11 A. Yes.  
12 Q. What did you do with that waste?  
13 A. Yeoman Creek.  
14 Q. Mr. Powles, do you have an opinion about  
15 the quality of Ole Kirkegaard's memory?  
16 A. I think he's got a fantastic memory.  
17 Q. What do you base that on?  
18 A. Because I worked with him for quite a  
19 few years. I was the operations manager, and he  
20 was the sales, and then he worked for me as the  
21 district sales manager when I was district  
22 manager. We would have discussions, and he would  
23 tell me things that went on years ago and knew 90  
24 percent of the business people there by the first

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond  
10  
11  
12                   October 21, 1993  
13                   9:40 a.m.  
14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
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22



1 Q. Directing your attention to Exhibit 3  
2 again, Page 8, you'll note about a quarter of the  
3 way down the page there's a notation for Lake  
4 County Hospital.  
5 A. Yes.  
6 Q. Do you see that?  
7 A. Yes.  
8 Q. Does that indicate that that hospital  
9 was still a customer of Waukegan in March 1972?  
10 A. Yes.  
11 Q. Was it your recollection that that  
12 hospital remained a customer continuously from the  
13 early sixties through at least March 1972?  
14 A. Yes.  
15 Q. Do you recall a company called  
16 Larsen & Petersen Paint Company?  
17 A. Yes, I do.  
18 Q. Was that a customer of Waukegan  
19 Disposal?  
20 A. Yes.  
21 Q. Located on Grand Avenue.  
22 A. Yes.  
23 Q. Do you recall who you dealt with at that  
24 location?

1 A. I don't.  
2 Q. Do you recall when that company became a  
3 customer of Waukegan Disposal?  
4 A. I would like to say I believe  
5 Larsen & Petersen were located on Genesee Street.  
6 Q. I'm sorry. I have got a current  
7 address.  
8 Your recollection is on Genesee Street.  
9 A. Yes.  
10 Q. Do you recall how many times you picked  
11 up a week from that location?  
12 A. Twice a week.  
13 Q. What type of containers did they have?  
14 A. They had many different types of  
15 containers. They had a couple garbage cans, steel  
16 garbage cans, outside the building, and then we got  
17 material from inside the door that opened up to the  
18 service door.  
19 Q. Let's take the garbage cans first.  
20 Those are the 30 gallon type steel garbage cans you  
21 described previously.  
22 A. Yes.  
23 Q. Do you recall the types of materials  
24 that were in those garbage cans?

1 A. There would be empty paint cans with  
2 some paint in them, I believe, as well.

3 Q. I was going to say -- you say "empty."  
4 Do you mean scrubbed out completely or dry paint  
5 still in the bottom?  
6 A. There would still be something in them.  
7 Q. Some of them had wet paint; some had dry  
8 paint.  
9 A. Yes.  
10 Q. Did they have lids on them?  
11 A. Some of them might, but not all of them.  
12 Q. So you could see into some of the cans.  
13 A. We could see there was paint there.  
14 Q. Anything else in the garbage cans  
15 besides the paint cans?  
16 A. No. That's basically what was outside.  
17 Q. Now, you also testified there were  
18 materials you picked up inside.  
19 A. Yes.  
20 Q. What types of materials?  
21 A. There would be a lot of corrugated  
22 boxes, plus there would be a couple drums, fiber  
23 drums with office paper and paper from the store  
24 where they sold the paint.

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1 Q. Were those other materials picked up on  
2 each occasion you went to Larsen & Petersen in  
3 addition to the garbage cans outside?  
4 A. Yes.  
5 Q. I believe you said it was twice a week.  
6 A. Twice a week.  
7 Q. Where did that waste go?  
8 A. In the beginning, it went to the city  
9 location down close to Greenwood, and when the  
10 Yeoman Creek Landfill opened up, it went to Yeoman  
11 Creek.  
12 Q. Your recollection is you obtained that  
13 account before Yeoman Creek opened.  
14 A. Yes, I did.  
15 Q. Did you maintain that account throughout  
16 the 1960s?  
17 A. Yes, we did.  
18 Q. Did you ever lose that account to your  
19 knowledge or recollection?  
20 A. Not to my knowledge.  
21 Q. Directing your attention to Page 8 of  
22 Exhibit 3, about halfway down the page you will see  
23 a notation for Larsen & Petersen.  
24 A. Yes.

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1 Q. Is that the account in question?  
2 A. That's the account.  
3 Q. They were still a customer in March  
4 1972.  
5 A. Yes.

6 Q. Throughout the period from '59 to '69,  
7 where did the waste from Larsen & Petersen go?  
8 A. It went to the Yeoman Creek Landfill.  
9 Q. Do you recall that Waukegan Disposal  
10 hauled waste for any Mobil service stations in or  
11 around the city of Waukegan?  
12 A. Yes, it did.  
13 Q. Do you recall approximately how many  
14 locations for Mobil?  
15 A. I don't remember exactly how many but  
16 several.  
17 Q. I'm going to read you some addresses and  
18 ask you if you recall whether these were customers  
19 of Waukegan Disposal.  
20 Do you recall a station at 2506 Grand  
21 Avenue, a Mobil station?  
22 A. Yes, I believe it was.  
23 Q. Was that a customer of Waukegan  
24 Disposal?

Lovinger & Kramer

### SUMMARY FOR LOVINGER AND KRAMER

Sheldon Lovinger and Norman Kramer have acknowledged that they are beneficiaries of American National Bank and Trust Company of Chicago Land Trust #1922 ("the Trust"). (Ex. 1)

The Trust acquired a vacant parcel of land located at 1509 West Sunset Road by deed of trust from Norman Kramer and his spouse on July 31, 1979. (Ex. 2) Norman Kramer acquired the same parcel from Harry L. Kramer and his spouse by warranty deed on March 27, 1967. (Ex. 2) Harry L. Kramer and his spouse acquired this parcel from Raymond W. Wells and his spouse by warranty deed on June 20, 1966. (Ex. 2)

The vacant lot at 1509 West Sunset Road is within the boundaries of waste delineation north of the Yeoman Creek portion of the Yeoman Creek/Edwards Field Site. (Final Remedial Investigation Report, Figure 8.) The Yeoman Creek portion of the Site operated from approximately 1963-1969. (Final Remedial Investigation Report, ¶1.3.2.1.1.) The type of waste present on this parcel consists of typical, putrescible municipal solid wastes and materials such as cloth, paper, plastic, metal scraps, pieces of rubber and a black or gray viscous material. (Final Remedial Investigation Report, ¶ 4.1.1.3.)

**YEOMAN CREEK STEERING COMMITTEE  
C/O SHELL J. BLEIWEISS, CO-CHAIR  
227 W. MONROE-SUITE 3100  
CHICAGO, IL 60606  
312-984-3664**

May 13, 1992

Mr. Sheldon Lovinger  
Mr. Jeffrey Lovinger  
2332 Chestnut Street  
Waukegan, IL 60087

Gentlemen:

On January 7, 1992, the City of Waukegan, on behalf of the Yeoman Creek PRP Committee, wrote to Mr. Sheldon Lovinger at the above address requesting access to erect a fence on the vacant lot he owns at or adjacent to 1509 Sunset, Waukegan, Illinois. Since then I have had telephone conversations with Jeffrey Lovinger and Larry Kraemer (apparently the son of S. Lovinger's partner in the property), but have not received the needed access agreement.

This is to notify you that if such written access agreement is not received by June 1, 1992, we will request that EPA obtain the necessary access for us. You may sign and return the enclosed form to provide the required access. If you have questions or comments, please contact me.

Very truly yours,

  
\_\_\_\_\_  
Shell J. Bleiweiss  
Co-Chairman  
YEOMAN CREEK STEERING COMMITTEE

SJB/ih  
\\16473\010\SHB\55CORSMB.087  
cc: Yeoman Creek Steering Committee

— LOVINGER AND KRAMER —  
ADR EXHIBIT #1

## ACCESS AGREEMENT

The undersigned hereby grant(s) access to the Yeoman Creek PRP Committee, its contractors, subcontractors and agents, USEPA, IEPA and their authorized representatives, to enter upon the property located at \_\_\_\_\_ to perform tests, install, service and utilize sampling equipment such as wells, gas probes, etc., and to erect and maintain a steel cyclone fence as required by the USEPA.

The Yeoman Creek PRP Committee agrees to indemnify the undersigned from any and all claims, causes of action and demands for bodily injury, including death, and injury to property, real or personal, which arise from negligent activity by the Committee pursuant to this Agreement, except claims, causes of action and demands arising from the negligence of the undersigned.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# D'ANCONA & LAUM

90th Anniversary  
1903-1993

Suite 2900  
30 North LaSalle Street  
Chicago, Illinois 60602  
Telephone (312) 580-2000  
Fax (312) 580-0923  
TWX 910-221-2554  
Cable "DANCONA"

Michael J. Quinn

Direct Dial Number  
580-2068

March 8, 1993

Jerome C. Randolph, Esq.  
Keating, Muething & Klekamp  
1800 Provident Tower  
One East Fourth Street  
P.O. Box 1800  
Cincinnati, Ohio 45202

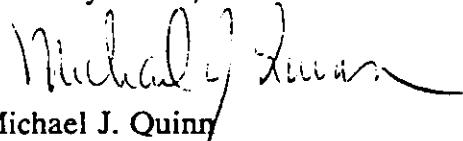
Re: Yeoman Creek PRP Committee v. Abbott Laboratories, et al.

Dear Mr. Randolph:

At the meeting a couple of weeks ago between plaintiffs and defendants in the matter reference above to discuss the proposed case management order, I asked for a copy of any documents in the plaintiffs' possession concerning the liability of defendants Norman Kramer (incorrectly named as Harold Kramer in the complaint) and Sheldon Lovinger. Because I have not yet received a response, I am renewing my request.

If you have any questions or comments, please call me.

Sincerely Yours,



Michael J. Quinn

cc: Mr. Larry Kramer



JOHN L. MUETHING  
DONALD P. KLEKAMP  
TIMOTHY A. GARRY  
GARY P. KREIDER  
DON R. GARDNER  
MICHAEL J. BURKE  
LOUIS F. GILLIGAN  
HERBERT S. WEISS  
JOSEPH P. ROUSE  
RICHARD D. SIEGEL  
JOSEPH L. TRAUTMANN, JR.  
JAMES R. WHITAKER  
J. DAVID ROSENBERG  
ROBERT W. MAXWELL  
J. NEAL GARDNER  
RICHARD L. CREIGHTON, JR.  
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SHERYL M. LINNE  
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MARK P. MUETHING  
PATRICK F. FISCHER  
ROBERT A. KLINGLER  
JAMES D. SCOTT  
DAVID K. MONTGOMERY  
STEVEN R. SMITH  
JAMES R. MATTHEWS  
MICHAEL F. BOKER

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VIVIAN M. RABY  
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GREGORY J. TASSONE  
GAIL GLASSMEYER PRYSE  
LISA WINTERSMEYER MICHEL  
W. KEITH NOEL  
JOHN E. GARDNER  
PAMELA MORGAN HODGE  
LAURA L. WARREN  
KENNETH P. KREIDER  
LAURA S. PETRIE  
DANIEL E. IZENSON  
GAIL T. KING  
MARY R. TRUE  
DANIEL J. DONNELLO  
MARY ELLEN MALAS

MATTHEW J. RUMPKER  
MICHAEL L. SCHEIER  
JODY KLEKAMP STACHLER  
PAUL O. DORGER  
MARK A. WEISS

WILLIAM J. KEATING  
COUNSEL

\*ALSO ADMITTED IN KENTUCKY

April 14, 1993

Direct Dial: (513) 579-6493

Mr. Robert W. Gettleman  
D'Ancona & Pflaum  
30 North LaSalle Street  
Suite 2900  
Chicago, Illinois 60602

RE: Waukegan School District 60 v. Abbott Labs. et al.

Dear Mr. Gettleman:

As you know, we are counsel representing Plaintiffs in the above matter. I understand that your clients, Sheldon Lovinger and Harold Kramer, have been voluntarily dismissed from this suit. However, Plaintiffs intend to serve non-party document requests pursuant to Civil Rule 45 on both men, which requests would be similar in form to the written discovery you have already received. The purpose of this letter is to inquire as to whether you would agree to voluntarily respond to the discovery you have already received in lieu of being served with a new request.

I look forward to your prompt response.

Very truly yours,

KEATING, MUETHING & KLEKAMP

BY:   
Donald A. Lane

ira  
cc: Mr. Jerome C. Randolph  
Ms. Carla K. Fisher  
88251.1

Michael J. Quinn

May 10, 1993

Donald A. Lane, Esq.  
Keating, Muething & Klekamp  
1800 Provident Tower  
One East Fourth Street  
P.O. Box 1800  
Cincinnati, Ohio 45202

Re: Waukegan School District 60 v. Abbott Labs, et al.

Dear Mr. Lane:


I am writing in response to your letter of April 14, 1993, to Robert Gettleman of my office regarding the matter referenced above. In your letter, you asked if our clients, Sheldon Lovinger and Norman Kramer, would be willing to voluntarily respond to the discovery previously sent to them, even though both gentlemen have been dismissed from the suit.

Messrs. Lovinger and Kramer are willing to voluntarily respond to the discovery request, and will immediately begin to prepare answers to the questions. However, we would like two things in return. First, we would like to enter into a written stipulation documenting the dismissal of both Messrs. Lovinger and Kramer from the suit. Second, on March 8, 1993, I wrote Jerry Randolph of your office accepting his offer to furnish us with information in your client's possession regarding my clients' liability for hazardous substances disposed of at the Yeoman Creek site. Because the dismissal is without prejudice there is a chance we may be back in this lawsuit, either directly or as a third-party defendant, and so we would still like to see this information.

I will ask my clients to begin preparing their responses to the discovery request. In the meantime, I will await your response regarding the stipulation and the information regarding the basis of liability for Messrs. Lovinger and Kramer.

Please call me if your have any questions or comments.

Sincerely Yours,



Michael J. Quinn

# COSBY AND BELL

ATTORNEYS AND COUNSELORS

77 WEST WASHINGTON STREET-SUITE 1605

CHICAGO, ILLINOIS 60602

(312) 263-7180

FAX: (312) 263-3817

RICHARD W. COSBY  
ROBERT S. BELL, JR.

JEANNE E. GETTELMAN

COUNSEL TO THE FIRM

A. L. ZIMMER  
JOHN LINGNER

May 13, 1993

## **BY MESSENGER**

Michael J. Quinn  
D'Ancona & Pflaum  
30 North LaSalle Street  
Suite 2900  
Chicago, Illinois 60602

Dear Mike:

The Yeoman Creek PRP Committee is conducting a remedial investigation/feasibility study (RI/FS) of the Yeoman Creek and Edwards Field landfills in Waukegan, Illinois pursuant to an administrative order from USEPA. The Sunset Avenue property owned by your clients, Norman Kramer and Sheldon Lovinger, abuts the north end of the Yeoman Creek landfill.

During waste delineation activities, our RI/FS contractor, Golder and Associates, determined that refuse from the Yeoman Creek landfill extends beneath the Kramer/Lovinger property. We are required to map the outer boundary of refuse, and then erect a six-foot cyclone fence at least five feet outside the waste. We will then be required to conduct various tests and measurements, both within and outside the fence.

We request access to the Kramer/Lovinger property to conduct the above activities. Such access must permit the Committee, its contractors, subcontractors and agents, USEPA, IEPA and their authorized representatives onto the site.

The Committee will agree to indemnify Messrs. Kramer and Lovinger from any and all claims, causes of action and demands for bodily injury, including death, and injury to property, real or personal, which arises from negligent activity by the Committee on the Kramer/Lovinger property pursuant to this access agreement, except claims, causes of action and demands arising out of the negligence of Messrs. Kramer and Lovinger.

MICHAEL J. QUINN

MAY 13, 1993

PAGE 2

In addition, Golder and Associates will have Norman Kramer and Sheldon Lovinger added to its insurance policies as an additional insured with respect to the Yeoman Creek/Edwards Field project.

Please have Norman Kramer and Sheldon Lovinger indicate their agreement to grant the above access by signing below and returning one fully executed copy of this letter to my attention as soon as possible. Feel free to call me if you have questions or comments.

Thank you for your cooperation and assistance.

Very truly yours,



Richard W. Cosby

RWC/jf

cc: Yeoman Creek PRP Committee

\_\_\_\_\_  
NORMAN KRAMER

\_\_\_\_\_  
SHELDON LOVINGER

KEATING, MUETHING & KLEK. IP  
ATTORNEYS AT LAW

1800 PROVIDENT TOWER

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MICHAEL L. SCHERER  
JODY KLEKAMP STACHLER  
PAUL D. DORGER  
MARK A. WEISS

WILLIAM J. KEATING  
COUNSEL

\*ALSO ADMITTED IN KENTUCKY

June 2, 1993

Direct Dial: (513) 579-6493

Mr. Michael J. Quinn  
D'Ancona & Pflaum  
Suite 2900  
30 North LaSalle Street  
Chicago, Illinois 60602

RE: Waukegan School District 60 v. Abbott Labs, et al.

Dear Mr. Quinn:

This letter responds to your letter of May 10, 1993 with respect to the above matter.

I understand that Plaintiffs' local counsel, Richard Cosby, is arranging the necessary stipulations and notices regarding dismissal.

In response to your other question, Plaintiffs provide the following information:

Sheldon Lovinger is the owner, through American National Bank Land Trust No. 1922, of a portion of the Yeoman Creek Superfund Site where landfill waste has been discovered. Upon information and belief, Mr. Lovinger has owned this property since the 1950s. Since Mr. Lovinger owned this property during the time the Yeoman Creek Site was in operation, your client is a PRP under § 107 of CERCLA.

I look forward to discussing this matter with you further.

Very truly yours,

KEATING, MUETHING & KLEKAMP

BY: 

Donald A. Lane

ira  
96332.1

# D'ANCONA & PFLAUM

Suite 2900  
30 North LaSalle Street  
Chicago, Illinois 60602  
Telephone (312) 580-2000  
Fax (312) 580-0923  
TWX 910-221-2554  
Cable "DANCONA"

Direct Dial Number  
580-2032

Bonnie S. Kartzman

August 17, 1993

TO: SEE ATTACHED SERVICE LIST

Re: Waukegan Community School District No. 60, et al.  
v. Abbott Laboratories, et al.  
(92 C 7592)

Ladies and Gentlemen:

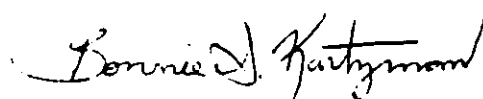
Please be advised that the attorneys for Kramer & Lovinger in the above referenced matter are:

Michael J. Quinn  
Bonnie S. Kartzman  
D'Ancona & Pflaum  
30 N. LaSalle St.  
Suite 2900  
Chicago, IL 60602  
(312)580-2000

Please delete Robert W. Gettleman from your Service Lists.

Thank you for your cooperation.

Very truly yours,



Bonnie S. Kartzman

BSK/mu  
Enclosure



# CHICAGO TITLE INSURANCE COMPANY

15 SOUTH COUNTY STREET, WADKESGAN, IL 60085

(708) 662-8000

## TRACT INDEX SEARCH

MCDERMOTT WILL & EMERY  
227 W MONROE ST  
SUITE 1100  
CHICAGO, ILLINOIS 60606  
PAT BOWMAN

CTIC Order No: 1409 TS332096 1K  
Cover Date: OCTOBER 16, 1992  
Ref. OWNERSHIP(S) SINCE 1955 FORWARD  
JJ/JJ

Legal Description of Land Searched: (See Attached)

Permanent Tax Number (P.I.N.):  
08-08-403-012

Street Address of Land Search (as furnished by Applicant):  
ILLINOIS

Grantee(s) in last recorded conveyance:  
SEE BELOW.

*Subsequent to  
11/1/92,  
1509 W. Superior St.  
Wadkewgan Ill.*

In accordance with the application a search of tract indices discloses the following items. With respect to residential properties, we may not have shown mortgages, trust deeds, or other liens which were eliminated by transactions closed through CTIC or Chicago Title and Trust Company.

DOCUMENT/CASE NO.: 1307861  
GRANTOR: RAYMOND W WELLS & WF  
GRANTEE: HARRY KRAMER & SHIRLEY, WF, IJT  
INSTRUMENT: W  
DATE: 06/20/66  
RECORDED: 06/22/66  
REMARKS: WITH OTHER PROPERTY

DOCUMENT/CASE NO.: 1332414  
GRANTOR: HARRY L KRAMER & WF  
GRANTEE: NORMAN KRAMER  
INSTRUMENT: W  
DATE: 03/27/67  
RECORDED: 03/28/67  
REMARKS: UND 1/2 INT; WITH OTHER PROPERTY

(CONTINUED)

— LOVINGER AND KRAMER —  
ADR EXHIBIT #2

CHICAGO TITLE INSURANCE COMPANY

By:

*Josephine (G) Jones*

SEE ATTACHED FOR TERMS AND CONDITIONS OF SEARCH AND EXPLANATION OF ABBREVIATIONS  
This is not a title insurance policy, guarantee, or opinion of title and should not be relied upon as such.

1-10





# CHICAGO TITLE INSURANCE COMPANY

15 SOUTH COUNTY STREET, WAUKEGAN, IL 60085

## TRACT INDEX SEARCH

Order No. 1409 TS332096 LK

### Disclosures (Continued):

DOCUMENT/CASE NO.: 78 CH 391 CIR  
GRANTOR: HARRY L KRAMER & AL  
GRANTEE: NORMAN KRAMER  
INSTRUMENT: COMPLT  
DATE:  
RECORDED: 10/19/78  
REMARKS: TO QUIET TITLE; WITH OTHER PROPERTY

DOCUMENT/CASE NO.: 2014360  
GRANTOR: RAYMOND W WELLS & WF  
GRANTEE: NORMAN KRAMER AS TO UND 1/2 INT & HARRY KRAMER &  
SHIRLEY, WF, IJT AS TO REMAINDER  
INSTRUMENT: Q  
DATE: 07/16/79  
RECORDED: 08/15/79  
REMARKS:

DOCUMENT/CASE NO.: 2014361  
GRANTOR: NORMAN KRAMER & WF & AL  
GRANTEE: AMERICAN NATL BK & TR CO OF WKGN TR# 1922  
INSTRUMENT: DT  
DATE: 07/31/79  
RECORDED: 08/15/79  
REMARKS:

DOCUMENT/CASE NO.: 1200720  
GRANTOR: CITY OF WAUKEGAN  
GRANTEE:  
INSTRUMENT: ORD  
DATE: P&A 09/03/63  
RECORDED: 09/20/63  
REMARKS: VACATING

DOCUMENT/CASE NO.: 1307862  
GRANTOR: RAYMOND W WELLS & WF  
GRANTEE: HARRY KRAMER & SHIRLEY, WF, IJT  
INSTRUMENT: Q  
DATE: 06/20/66  
RECORDED: 06/22/66  
REMARKS: VACATED STREET; WITH OTHER PROPERTY



# CHICAGO TITLE INSURANCE COMPANY

15 SOUTH COUNTY STREET, WILMINGTON, IL 60085

## TRACT INDEX SEARCH

Order No.: 1409 TS332096 LK

### Disclosures (Continued):

NOTE: PER YOUR REQUEST, THIS SEARCH WAS MADE FROM JANUARY 1955 TO COVER OCTOBER 16, 1992 TO SHOW ALL RECORDED CONVEYANCES ONLY....



# CHICAGO TITLE INSURANCE COMPANY

15 SOUTH COUNTY STREET, WAUKEGAN, IL 60085

## TRACT INDEX SEARCH

Order No. 1405 TS332096 LK

### Legal Description:

PARCEL 1: LOT 6 (EXCEPT THAT PART OF SAID LOT 6 DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT; THENCE EAST 134 FEET ALONG THE NORTH LINE OF SAID LOT TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 19.82 FEET ALONG THE EAST LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG A CURVED LINE HAVING A RADIUS OF 965.6 FEET AND CONCAVE SOUTHERLY, TO A POINT ON THE WEST LINE OF SAID LOT, 7.20 FEET SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH TO THE PLACE OF BEGINNING) IN BLOCK 13 IN KRENN AND DATO'S THIRD MARQUETTE HIGHLANDS, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 48 NORTH, RANGE 12, EAST OF THE 3RD P.M., ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1926 AS DOCUMENT 278628 IN BOOK "P" OF PLATS, PAGES 42, 43, AND 44, IN LAKE COUNTY, ILLINOIS.

PARCEL 2: THE EAST HALF OF THAT PART OF NEW YORK STREET, AS VACATED BY ORDINANCE PASSED AND APPROVED SEPTEMBER 3, 1963 AND RECORDED SEPTEMBER 20, 1963 AS DOCUMENT 1200720, LYING WEST OF AND ADJOINING SAID PARCEL 1, IN LAKE COUNTY, ILLINOIS.

Order No. 1409 TS332096 LK

## ABBREVIATIONS FOR INSTRUMENTS

| Instrument          | Symbol | Joint<br>Tenancy | Instrument            | Symbol | Joint<br>Tenancy |
|---------------------|--------|------------------|-----------------------|--------|------------------|
| Agreement for Deed  | AD     | ADJ              | Financing Statement   | FS     |                  |
| Assignment          | A      |                  | Lease                 | L      |                  |
| Assignment of Rents | AR     |                  | Lis Pendens Notice    | LPN    |                  |
| Building Violation  | BV     |                  | Mechanics' Lien Claim | MLC    |                  |
| Certificate of Sale | CS     |                  | Modification          | MOD    |                  |
| Chattel Mortgage    | CM     |                  | Mortgage              | M      |                  |
| Claim for Lien      | CL     |                  | Quit Claim Deed       | Q      | QJ               |
| Conservator's Deed  | CD     | CDJ              | Release               | R      |                  |
| Deed                | D      | DJ               | Satisfaction          | S      |                  |
| Deed in Trust       | DT     |                  | Special Warranty Deed | SW     | SWJ              |
| Executor's Deed     | ED     | EDJ              | Trust Deed            | TD     |                  |
| Extention           | E      |                  | Warranty Deed         | W      | WJ               |

## TERMS AND CONDITIONS

This search is of the land described herein by legal description and where based upon a street address furnished by applicant, Chicago Title Insurance Company assumes no liability for the accuracy of the determination that the street address so furnished and listed, and the land described by legal description, constitutes the same premises. This search is made of Chicago Title Insurance Company tract indices which are geographic indices organized by legal description. Recorded instruments, including deeds or mortgages, which do not contain legal descriptions, are not posted in Chicago Title Insurance Company tract indices and will not be disclosed by this search.

Chicago Title Insurance Company (CTIC) has made this search using the same care and diligence for applicant as Chicago Title Insurance Company uses for itself in preparing searches for use in underwriting title policies, and no greater; in the event, however, that error should occur in the posting or searching of the said indices or in the reporting of the requested information, applicant agrees that the liability of CTIC is limited to actual damages sustained by applicant, but in no event shall such liability exceed \$50,000.00, in the aggregate, for all searches ordered by a single application. Nonpayment by applicant of CTIC search charges shall relieve CTIC of all liability for posting, searching, and reporting error. CTIC does not analyze instruments for legal sufficiency. Instruments are posted to tract indices and reported by searchers based on the characterization of the instrument by its preparer. This search is not a title insurance policy, guarantee, or opinion of title and should not be relied upon as such.

This search is made by Chicago Title Insurance Company solely for the benefit of the applicant. No third party (other than a party making a loan on the land described herein) shall have any right to rely on said search for any purpose whatsoever under any third party beneficiary theory, products liability theory or any other theory of law whatsoever.

U.S. Fair Credit Reporting Act, 15 U.S.C. 1681-1681t Statement:

This search is furnished by Chicago Title Insurance Company for the purpose of providing information relative to the record ownership of the subject land and without any regard to the credit worthiness of the particular parties who have owned or possessed the land during the search period.



## CHICAGO TITLE INSURANCE COMPANY

(INVOICE AS OF 11/11/92)

PAGE: 01

OFFICE: 01409  
ORDER NUMBER: TS332096  
ACCOUNT NUMBER: 0145839-000

ESCROW NUMBER:  
CONTRACT NUMBER:

MCDERMOTT WILL & EMERY  
227 W MONROE ST  
SUITE 3100  
CHICAGO, IL 60606

DATE ORDER RECEIVED: 11/11/92  
REFER INQUIRIES TO:  
LAKE COUNTY  
(708) 662-8000  
JJ2

ATTENTION: PAT BOWMAN

CUSTOMER REFERENCE: OWNERSHIP(S) SINCE 1955 FORWARD

| RESPA<br>LINE                           | DESCRIPTION OF ITEMS |        |
|---|----------------------|--------|
| 1102                                    | OWNERSHIP SEARCH     | 300.00 |
| TOTAL CUSTOMARY BUYER/BORROWER CHARGES: |                      | 300.00 |
| TOTAL INVOICE:                          |                      | 300.00 |
| PREVIOUS CHARGES BILLED/DEBITS:         |                      | .00    |
| PAYMENTS/CREDITS:                       |                      | .00    |
| NET AMOUNT DUE:                         |                      | 300.00 |

ACCOUNT NUMBER: 0145839-000 ORDER NUMBER: TS332096 NET AMOUNT DUE: 300.00  
01409: 300.00

THANK YOU FOR PLACING YOUR ORDER WITH CHICAGO TITLE  
PAYMENT DUE UPON RECEIPT  
PLEASE RETURN A COPY WITH REMITTANCE TO:  
LAKE COUNTY  
15 SOUTH COUNTY STREET  
WAUKEGAN, IL 60085

Montgomery Ward & Co Inc

### SUMMARY FOR MONTGOMERY WARD & CO., INC.

During the relevant time period, Montgomery Ward & Co., Inc. ("Montgomery Ward") operated two retail outlets in the Waukegan area. During the late 1950's and early 1960's, the store was located in the downtown Waukegan area. In approximately March, 1965, Montgomery Ward relocated the store to the Belvedere Mall, also in Waukegan. (Ex. 1)

Montgomery Ward was a customer of Waukegan Disposal at both locations. Waukegan Disposal picked up waste at the downtown store on a daily basis. (Ole Kirkegaard 655-56) Montgomery Ward used a number of 32-gallon garbage cans to handle its waste and disposed of two to three yards of waste per day. (Ole Kirkegaard 656) The waste at this location consisted primarily of corrugated cardboard, food waste and office waste. (Ole Kirkegaard 657) The waste from this store was delivered to the Edwards Field/Yeoman Creek landfills ("The Site"). (Ole Kirkegaard 657)

Beginning in 1965, Montgomery Ward operated both a retail store and an automotive center at the Belvedere Mall. It used a 42' tractor trailer to handle its waste at the retail facility. (Ole Kirkegaard 752; Peder Kirkegaard 703) This waste included corrugated cardboard, waste clothing, broken pallets, paint cans, and packing materials. (Ole Kirkegaard 753; Peder Kirkegaard 703) Waukegan Disposal emptied 15 to 20 cubic yards of waste, six days per week from this trailer. (Ole Kirkegaard 754-55)

Waukegan Disposal made a second pickup for Montgomery Ward at the automotive center. During the time Ole Kirkegaard picked up waste from this location, Montgomery Ward used seven to eight 55-gallon drums. (Ole Kirkegaard 754) While Peder Kirkegaard picked up waste at this location, Montgomery Ward used several one-yard ground containers. (Peder Kirkegaard 701) The waste from the automotive center included various auto parts, hoses, tires, oil cans, fluid cans, mufflers, batteries, spark plugs, brake shoes, and oil and air filters. (Ole Kirkegaard 753; Peder Kirkegaard 701-02) Waukegan Disposal picked up waste at the automotive center three days per week. (Ole Kirkegaard 755; Peder Kirkegaard 701, 811)

All of the waste from Montgomery Ward's Belvedere Mall location was hauled to the Site.

In summary, Montgomery Ward arranged for the disposal of at least a total of 4,680 cubic yards of waste per year at the Site, from all facilities combined, from approximately 1964 to 1969. (Ole Kirkegaard 655-657, 753-755; Peder Kirkegaard 701-703, 811)

WRITER'S DIRECT DIAL

(312) 715-4615

LAW OFFICES  
**ALTHEIMER  
& GRAY**

SUITE 4000  
10 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
(312) 715-4000  
FAX (312) 715-4800  
TELEX RCA 297102 A G U R

May 24, 1993

Donald A. Lane, Esq.  
Keating, Muething & Klekamp  
1800 Provident Tower  
One East Fourth Street  
Post Office Box 1800  
Cincinnati, Ohio 45202

RE: Waukegan Community School, District No. 60, et al. v. Abbott Laboratories,  
et al. Case No. 92 C 7592 (Yeoman Creek Landfill)

Dear Mr. Lane:

We are in receipt of your April 15, 1993 correspondence regarding the captioned matter. Following are the responses of Montgomery Ward & Co., Incorporated to the questions therein.

1. Is the Company still operating at the address or addresses identified in the "facility" definition in the Request?

No. Montgomery Ward & Co., Incorporated no longer operates retail facilities at the locations known as 15-19 S. Genesee Street, and 2005 Belvedere Street. Montgomery Ward does operate a retail store and Auto Express at 221 Lakehurst Rd., Waukegan, IL, and has done so since April, 1988.

2. Please describe Company operations at the "facility" during the years 1955 to 1969.

Company operations at the two Montgomery Ward facilities during the relevant time period included the sale of a general variety of merchandise at retail as well as auto repair and maintenance services to the public. However, the Belvedere St. facility closed in March of 1965.

3. Please list all places you searched for responsive documents and list places where responsive documents would have been routinely kept whether you looked there or not.

Montgomery Ward searched all places where responsive documents would have been routinely kept. Every effort was made to determine whether records from either of the

— MONTGOMERY WARD  
ADR EXHIBIT 1 —



Montgomery Ward & Co Inc  
Deposition Exerpts

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WAUKEGAN COMMUNITY SCHOOL )  
DISTRICT NO. 60, et al., ) V. IV  
Plaintiffs, )  
v. ) Case No. 92 C 7592  
ABBOTT LABORATORIES, et al., ) Judge Leinenweber  
Defendants. ) Magistrate Judge Rosemond

August 17, 1993  
9:30 a.m.

The deposition of OLE KIRKEGAARD resumed  
pursuant to adjournment at Suite 6600, 233 South  
Wacker Drive, Chicago, Illinois.

1 Q. Same as the Polyfoam location?  
2 A. Polyfoam, yes.  
3 Q. You talked about a dock area on the  
4 north side of the building.  
5 Would that have been the same for the  
6 Sears Warehouse?  
7 A. Yes.  
8 Q. What type of waste containers did Sears  
9 Warehouse use during the early 1960s?  
10 A. They had a lot of corrugated, office  
11 papers and wood crates and that type of thing.  
12 Q. What kind of containers was it contained  
13 in?  
14 A. They had some 55-gallon drums sitting at  
15 the dock area.  
16 Q. Do you recall how many on a given day?  
17 A. Three to six.  
18 Q. Where was that waste taken to?  
19 A. Yeoman Creek Landfill or Edwards Field.  
20 Q. Do you recall that during the 1960s  
21 there was also a Montgomery Ward retail store in  
22 the downtown Waukegan area?  
23 A. Yes.  
24 Q. Do you recall who handled their waste?

1 A. Waukegan Disposal.  
2 Q. During what portion of the 1960s did  
3 Waukegan Disposal handle Montgomery Ward's waste?  
4 A. In the early sixties.  
5 Q. How often? How many times per week?  
6 A. That was daily pickup, I believe.  
7 Q. What route was that on?  
8 A. Downtown route.  
9 Q. Was that a period in which you were  
10 assigned to the downtown route?  
11 A. Yes.  
12 Q. Do you recall the physical layout of the  
13 area in which you picked up their waste?  
14 A. It was alley pickup I recall.  
15 Q. Where was the alley in relation to the  
16 building?  
17 A. Behind the building.  
18 Q. Was the waste at ground level or on a  
19 dock?  
20 A. Ground level.  
21 Q. Do you recall what type of containers  
22 Montgomery Ward used for its waste?  
23 A. They had bunch of small 32-gallon  
24 containers.

1 Q. Can you estimate approximately how many  
2 yards of waste a day would have been contained in

3 those 32-gallon containers?  
4 A. They also had boxes next to them, so I  
5 would say about two to three yards a day.  
6 Q. Do you recall the nature of the type of  
7 waste that was in those containers?  
8 A. Corrugated. They had food trash, too,  
9 and office papers and so on.  
10 Q. Where was their waste taken to?  
11 A. Yeoman Creek and Edwards Field.  
12 Q. Do you recall a company located in  
13 downtown Waukegan known as Larsen & Petersen Paint  
14 Company?  
15 A. Yes.  
16 Q. Where were they located?  
17 A. North Genesee Street.  
18 Q. Do you recall who handled their waste  
19 during the 1960s?  
20 A. Waukegan Disposal Service.  
21 Q. What route?  
22 A. Downtown route.  
23 Q. What period of the sixties? Was it  
24 throughout the whole sixties or some portion?

1   diapers, and they had needles in them, and they had  
2   glass bottles with tubings on them and that type of  
3   thing.

4       Q.     Okay. Approximately how many 55-gallon  
5   drums were there at Lake County Hospital that you  
6   picked up?

7       A.     They had anywhere from 8 to 12, I  
8   believe.

9       Q.     How many cans of ash would you pick up  
10  once a week?

11      A.     That all varied how much they got out of  
12  the incinerator, but I would say about four to five  
13  55-gallon.

14      Q.     Did you have to make any special  
15  arrangements to pick up waste at Lake County  
16  Hospital?

17      A.     No.

18      Q.     Where did that waste go?

19      A.     Yeoman Creek.

20      Q.     You have described waste picked up from  
21  both Montgomery Ward and Sears at their downtown  
22  retail locations. Do you recall that?

23      A.     Yes.

24      Q.     Do you recall -- let's start with

1   Montgomery Ward -- that at some point in time  
2   Montgomery Ward moved its operation?

3       A.     Yes.

4       Q.     Where did it move to?

5       A.     They moved over to the new location on  
6   Belvidere and Lewis Avenue, which was called the  
7   Belvidere Mall.

8       Q.     Did Waukegan Disposal continue to pick  
9   up waste from that location?

10      A.     Yes.

11      Q.     What route was it on?

12      A.     The Belvidere route.

13      Q.     Do you know when that move took place?

14      A.     Late sixties.

15      Q.     Do you recall as you sit here now  
16  whether it was before or after the closing of the  
17  Yeoman Creek Landfill?

18      A.     Before.

19      Q.     Okay. What types of containers were  
20  utilized at that location?

21      A.     Montgomery Ward had -- at the retail  
22  store itself they had a 60-footer semi-trailer at  
23  one of their docks, and each morning we emptied  
24  that 60-foot trailer complete. We backed up to the

1   doors. During the day, they had filled it up from  
2   one end to the other, loose stuff, inside up to the  
3   ceiling.

4 Q. Would you have to get in the trailer and  
5 actually lift it out by hand?  
6 A. We backed up to the trailer and then we  
7 start shoveling it into the truck.  
8 Q. What kind of materials?  
9 A. Hundred type of things. There was  
10 corrugated, parts for this and that and broken  
11 clothing and pallets and paint cans with paint in  
12 it and pallets and lots of stuff.  
13 Q. Did Montgomery Ward have an automotive  
14 shop at that location in Belvidere Mall?  
15 A. Yes, they did.  
16 Q. Could you describe what kind of waste  
17 came from the automotive shop at Montgomery Ward?  
18 A. The auto shop was just east of the  
19 retail store, and we picked up on the south side of  
20 the other store, of the building. They had a bunch  
21 of 55-gallon drums. We picked up auto parts,  
22 hoses, tires, quart, gallon oil cans, pints of  
23 power steering fluid and all kinds of brake parts,  
24 and mufflers we picked up, old mufflers and broken

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1 battery or that type of thing.  
2 Q. Do you recall spark plugs?  
3 A. Spark plugs.  
4 Q. Was the waste stream from the Montgomery  
5 Ward Automotive Center similar to or different than  
6 the waste from the service stations you described  
7 earlier?  
8 A. I believe that was just about the same.  
9 Q. What was the volume of waste you picked  
10 up at Montgomery Ward all total on a typical pickup  
11 when they were at Belvidere Mall?  
12 A. For the automotive center or for the  
13 whole thing?  
14 Q. For the whole thing.  
15 A. Well, we had that 60-foot trailer which  
16 was full to the top just about every day, so you  
17 are talking -- I would say 15 to 20 cubic yard of  
18 garbage.  
19 Q. Okay. What about from the automotive?  
20 Did that include the automotive portion?  
21 A. No.  
22 Q. What about the automotive portion?  
23 A. The automotive center had seven or eight  
24 55-gallon drums.

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1 Q. How often did you pick up at Montgomery  
2 Ward?  
3 A. Montgomery Ward's was six days a week.  
4 The auto center was three days a week, Monday,  
5 Wednesday, Friday.  
6 Q. Okay. Do you also recall that Sears

7 relocated to that area?  
8 A. No.  
9 Q. I'm sorry. Do you recall that K-Mart  
10 relocated to that area?  
11 A. Yes.  
12 Q. Okay. The Kresge store.  
13 A. Yes.  
14 Q. Did you continue to pick up from the  
15 K-Mart?  
16 A. Yes.  
17 Q. How often?  
18 A. K-Mart was moved to Belvidere Street  
19 west of Green Bay Road on the north side, and we  
20 picked them up five days a week.  
21 Q. Do you recall where that waste went?  
22 A. Yeoman Creek.  
23 Q. What route was that on?  
24 A. That was on the Belvidere route.

1 break, and I will just wrap up this part of my  
2 examination.

3 (WHEREUPON, a recess was had.)

4 BY MR. RANDOLPH:

5 Q. Mr. Kirkegaard, I may have asked you  
6 this, but let me, at the risk of duplicating  
7 questions, ask you to make sure we have got it.

8 Do you recall where the waste generated  
9 by Montgomery Ward at its Belvidere store, where  
10 that waste went and was picked up by Waukegan  
11 Disposal?

12 A. Yeoman Creek, yes.

13 Q. You also testified about the yards that  
14 were in the trailer at Montgomery Ward.

15 Do you recall that?

16 A. Yes.

17 Q. Was that yardage compacted or  
18 uncompacted yardage that you testified to?

19 A. That was compacted.

20 Q. Do you recall a company called  
21 Pfanstiehl Detergent Chemicals?

22 A. Yes.

23 Q. Where was that located?

24 A. Market Street.



1 A. I'm assuming my brother Pete did that,  
2 yes.

3 Q. Who would your brother have contacted at  
4 that station to make that arrangement?

5 A. The manager.

6 Q. You testified this morning about the  
7 receptacles that you picked up at each of these  
8 three stations, and I believe you said they were  
9 all drums of one sort or another.

10 Were they all kept outside?

11 A. Yes.

12 Q. And were they uncovered?

13 A. Yes.

14 MR. MOSHER: Based upon what anybody else  
15 might ask you, I have no further questions.

16 Thank you.

17 MR. LAWTON: Mr. Kirkegaard, my name is Sam  
18 Lawton. I represent Montgomery Ward.

19 EXAMINATION

20 BY MR. LAWTON:

21 Q. I'm going to limit my questions only to  
22 the Belvidere facility so I won't identify it each  
23 time.

24 I believe you indicated there were two

1 separate operations going on simultaneously, is  
2 that correct?

3 A. Yes.

4 Q. Would you describe what those were just  
5 once more?

6 A. The biggest part of the area was the  
7 retail store, and then there was an auto center in  
8 the west side of the building, two different  
9 operations.

10 Q. Were they physically within the same  
11 structure or were they two separate structures?

12 A. Same structure.

13 Q. All the same structure?

14 A. Yes.

15 Q. But you indicated that they had separate  
16 waste facilities for each one, is that correct?

17 A. Yes.

18 Q. For the automotive facility, would you  
19 describe once more just what that consisted of?

20 A. Yes.

21 Q. The facilities that they had for waste  
22 disposal.

23 A. Yes. They had a bunch of 55 gallon  
24 steel cans, and we picked them up Monday,

1 Wednesday, Friday. There was corrugated. There  
2 was office papers. There was two or three

3 different types of small cans in them. Some was  
4 quart oil cans, some was cans from power steering  
5 fluid and brake fluid.  
6 Q. Now, this is the automotive facility.  
7 A. Yes.  
8 Q. Now, you also indicated, I thought, a  
9 trailer, am I correct?  
10 A. Yes. That's the other location.  
11 Q. All right. Can you describe that in  
12 terms of size and location?  
13 A. Yes. That was on the west -- southwest  
14 side -- the west side of the building. That was a  
15 dock area with five to six docks, and the dock  
16 furthest to the north was allowed for trash  
17 pickups, we had a 40 to 60-foot semi-trailer  
18 sitting up against that dock and --  
19 Q. Is that yours or theirs?  
20 A. That was ours.  
21 Q. That was yours?  
22 A. Yes.  
23 Q. Now, when you serviced the two  
24 facilities, did you pick up everything in one haul

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1 or did you pick up automotive at one time and the  
2 retail at another time?  
3 A. Well, we started at the -- we backed up  
4 to the 40-footer in the morning early and emptied  
5 that into the truck, and after that we picked up  
6 all the other small stores and auto center in the  
7 morning.  
8 Q. Picked up the other small stores --  
9 A. That was --  
10 Q. -- in the Belvidere shopping center, is  
11 that correct?  
12 A. Yes.  
13 Q. But when you serviced Montgomery Ward,  
14 did you pick up their waste from both of their  
15 facilities at the same time?  
16 A. Yes.  
17 Q. All right.  
18 A. Yes.  
19 Q. Do you recall whom you dealt with at  
20 Montgomery Ward?  
21 A. I can't remember his name. No. They  
22 had two or three different managers there in the  
23 sixties.  
24 Q. Did they have one manager for both

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1 facilities --  
2 A. Yes.  
3 Q. -- as far as you recall?  
4 A. Yes.  
5 Q. Incidentally, can you tie down the

6 period of your service a little closer than you  
7 have at Belvidere? When did you start there?  
8 A. We started when that mall was built.  
9 Q. When was that?  
10 A. I believe in 1967.  
11 Q. 1967?  
12 A. Yes.  
13 Q. Did you have any contractual arrangement  
14 with Montgomery Ward?  
15 How did you work out your financial  
16 arrangement? Was this by understanding, by letter,  
17 by individual invoice at the time that you made the  
18 pickup? What was your arrangement?  
19 A. My arrangement was nothing. My brother  
20 did all of the arrangement with the contracts.  
21 Q. Well, what was his? Do you recall what  
22 his was?  
23 A. No.  
24 Q. You don't know what your business

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1 relationship was between -- incidentally, was that  
2 Waukegan Disposal at the time that you started  
3 this?  
4 A. Yes.  
5 Q. All right. You don't recall the  
6 business arrangement in any form so far as your  
7 relationship with Montgomery Ward.  
8 A. All I know is a good relation we had  
9 with Montgomery Ward.  
10 Q. When you made a pickup, was there any  
11 sort of exchange of documentation, any paper at  
12 all?  
13 A. No.  
14 Q. Did you keep a record internally of what  
15 you had picked up in terms of quantities?  
16 A. No.  
17 Q. How did you know how to bill if you had  
18 no record of what you picked up?  
19 A. I believe my brother set that account up  
20 as a daily pickup for so much per month, flat  
21 rate.  
22 Q. Now, when you went to the landfill, was  
23 there any documentation entered into at that time  
24 by Yeoman Creek and whomever was bringing in the

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1 load? Was there any writing exchanged?  
2 A. When we went into the landfill with a  
3 load, we stopped at the trailer office they had at  
4 the landfill, and we told them how much we had on  
5 the truck. They wrote that up on a ticket, and we  
6 signed the ticket and got a copy of it.  
7 Q. By the time you had arrived at the  
8 landfill, you had the waste that might have been

9 generated by many different organizations, is that  
10 correct --  
11 A. Yes.  
12 Q. -- besides Montgomery Ward?  
13 A. Yes.  
14 Q. Did you ever have loads that were  
15 limited exclusively to Montgomery Ward?  
16 A. I don't recall.  
17 Q. Did you ever have special pickups for  
18 Montgomery Ward beyond those that were on a daily  
19 or semi-daily basis?  
20 A. Yes. I remember a few times when they  
21 called for a cleanup.  
22 Q. They would call for a special pickup at  
23 a particular time.  
24 A. Yes.

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1 Q. You don't recall who did that though.  
2 A. No.  
3 Q. What happened when you got to the  
4 landfill? What did you do? What was your actual  
5 function once you got there?  
6 A. Well, after we went in and signed up for  
7 the ticket, we went out to the dump site at the  
8 landfill, and the Cat was sitting out there. He  
9 told us where to back up to dump at that location.  
10 Q. That was an employee or manager of the  
11 landfill operation told you where to go.  
12 A. Yes.  
13 Q. And you dumped your load at that time.  
14 A. Yes.  
15 MR. LAWTON: I have nothing further. Thanks.  
16 MR. HYNES: Mr. Kirkegaard, my name is Jim  
17 Hynes. I represent Pfanstiehl Laboratories.  
18 EXAMINATION  
19 BY MR. HYNES:  
20 Q. Let's go back to your earlier testimony  
21 on T & K.  
22 Now, that was formed by Henry Tewes and  
23 your brother Peder, correct?  
24 A. Yes.

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME III  
7                   v.                   ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

10  
11  
12                   October 21, 1993  
13                   9:40 a.m.  
14

15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23  
24

1 A. No, I don't.  
2 MR. RANDOLPH: Maybe it would be a good time  
3 to take a short break.  
4 (WHEREUPON, a recess was had.)  
5 BY MR. RANDOLPH:  
6 Q. Mr. Kirkegaard, do you recall Waukegan  
7 Disposal doing business with Montgomery Ward &  
8 Company?  
9 A. Yes, I do.  
10 Q. When did Montgomery Ward become a  
11 customer of Waukegan Disposal?  
12 A. I believe it was in the early to  
13 mid-sixties.  
14 Q. From what location were pickups made  
15 from Montgomery Ward?  
16 A. I can't remember if we had them at the  
17 downtown location, but we received them at the  
18 Belvidere Mall.  
19 Q. Let me ask you. The downtown location  
20 was on Genesee Street.  
21 A. Yes.  
22 Q. Do you recall whether Montgomery Ward,  
23 as you sit here now, whether it was a customer of  
24 Waukegan Disposal at its Genesee Street location?

1 A. I don't recall that.  
2 Q. You do recall it was a customer at least  
3 at the time it had a store in Belvidere Mall.  
4 A. Yes.  
5 Q. Do you recall when that store opened?  
6 A. I believe it opened in the early to  
7 mid-sixties.  
8 Q. What types of containers were utilized  
9 by Montgomery Ward at Belvidere?  
10 A. We had two locations where we picked up  
11 at the Montgomery Ward. They had a service center,  
12 and they also had the store itself.  
13 Q. By "service center," you mean an auto  
14 service center.  
15 A. Auto service center.  
16 Q. What types of containers did you pick up  
17 at the auto service center?  
18 A. I believe they had one or two one-yard  
19 containers at that location.  
20 Q. Ground containers?  
21 A. Ground containers.  
22 Q. How often did you pick up at the service  
23 center?  
24 A. I believe that was three times a week.

1 Q. Do you recall the types of materials  
2 that were in the waste at the service center?  
3 A. Yes. That would be somewhat the same as

4 a full service gas station.  
5 Q. Used oil and air filters?  
6 A. There was filters and oil cans and --  
7 Q. Batteries?  
8 A. Batteries and brake shoes and --  
9 Q. Mufflers?  
10 A. -- mufflers.  
11 Q. Was there also office paper and other  
12 types of office waste in those containers?  
13 A. Yes, there would be.  
14 Q. Where was the waste from the one or two  
15 ground containers delivered to?  
16 A. That was delivered to the Yeoman Creek  
17 Landfill.  
18 Q. You also indicated there was a second  
19 location you picked up from Montgomery Ward.  
20 A. Yes.  
21 Q. What type of container was that?  
22 A. That was a big trailer parked by the  
23 store.  
24 Q. Like a semi-truck trailer?

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1 A. Semi-truck trailer.  
2 Q. Do you recall how big that trailer was?  
3 A. I believe it was a 42-footer.  
4 Q. How often did you pick up from that?  
5 A. On a daily basis.  
6 Q. How would you unload the trailer into  
7 your truck?  
8 A. The front end were cut off of that  
9 trailer and it was up to the loading dock. We  
10 would open the doors, which normally would have  
11 been the back end of the trailer, and backed the  
12 truck ~~up~~ to that and then unloaded it into the  
13 packer truck.  
14 Q. Were you able to tilt the trailer into  
15 the packer truck?  
16 A. No, no.  
17 Q. You just unload it in.  
18 A. By hand.  
19 Q. What types of materials did you unload  
20 into the packer truck?  
21 A. There was a lot of corrugated boxes.  
22 Q. Do you remember any other types of  
23 materials there might have been?  
24 A. Yes. There could be lots of different

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1 things from the store that was bulk, unpacking  
2 material, packing materials, and once in a while  
3 there would be even some plants from the garden  
4 center when they closed that up in the fall.  
5 Q. Do you recall any paint cans or any  
6 other containers with liquid in that trailer?

7 A. No, I don't recall too much of that.  
8 Q. Where was the waste from the trailer on  
9 a daily basis taken?  
10 A. That was taken to the landfill.  
11 Q. To Yeoman Creek?  
12 A. Yes.  
13 Q. Did Montgomery Ward remain a customer of  
14 Waukegan Disposal continuously from the early to  
15 mid-1960s through March 1972 to your recollection?  
16 A. Yes.  
17 I also remember we put in a compactor  
18 rather than the trailer at a later date.  
19 Q. You put a compactor in sometime during  
20 what time period?  
21 A. After '69.  
22 Q. Directing your attention to Exhibit 3,  
23 Page 1, the bottom of that page, do you see a  
24 notation for Montgomery Ward?

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1 A. Yes.  
2 Q. \$400 for 30 days' service.  
3 A. Yes.  
4 Q. Do you recall doing business with a  
5 company called Mordhorst Transfer and Storage?  
6 A. Yes, I do.  
7 Q. Where were they located?  
8 A. They were located on Glen Flora.  
9 Q. Was that a customer of Waukegan  
10 Disposal?  
11 A. Yes. It was one of the accounts we  
12 purchased from Peter Fargaard.  
13 Q. Did it remain a customer of Waukegan  
14 Disposal then from that point of the purchase from  
15 Mr. Fargaard through 1972?  
16 A. I believe so.  
17 Q. Did you personally pick up at that  
18 location?  
19 A. Yes.  
20 Q. What type of containers did they have  
21 there?  
22 A. I don't recall what type of container.  
23 Q. Do you recall the volume of waste you  
24 picked up there?



1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION  
4 WAUKEGAN COMMUNITY SCHOOL )  
5 DISTRICT NO. 60, et al., )  
6                   Plaintiffs,) VOLUME IV  
7                   v.                    ) Case No. 92 C 7592  
8 ABBOTT LABORATORIES, et al.) Judge Leinenweber  
9                   Defendants.) Magistrate Judge Rosemond

10  
11  
12                   October 22, 1993  
13                   8:30 a.m.

14  
15                   The deposition of PEDER KIRKEGAARD  
16 resumed pursuant to adjournment at The Marc Plaza  
17 Hotel, 509 West Wisconsin Avenue, Milwaukee,  
18 Wisconsin.  
19  
20  
21  
22  
23  
24

1 Do you remember when it was that you  
2 serviced them, other than just the decade?  
3 A. No, I don't.  
4 Q. Do you know if anyone hauled from that  
5 facility before Waukegan Disposal?  
6 A. I don't recall that.  
7 Q. Do you remember how you got the account?  
8 A. I don't remember that.  
9 MR. SHAY: That's all I have. Thank you.  
10 THE WITNESS: You're welcome.  
11 MR. SILVERGLADE: Mr. Kirkegaard, my name is  
12 Josh Silverglade, and I represent Montgomery Ward.  
13 I have just a few questions for you to  
14 follow up on yesterday's questions.  
15 EXAMINATION  
16 BY MR. SILVERGLADE:  
17 Q. You said that Montgomery Ward was a  
18 customer, is that correct?  
19 A. That's correct.  
20 Q. You said that that began the early to  
21 mid-sixties.  
22 A. Yes.  
23 Q. Would it make sense to you, since you  
24 only recall the Belvidere location, Montgomery Ward

1 began operation there in March of '65? Does that  
2 seem like a reasonable time?  
3 A. That seems right.  
4 Q. Okay. Do you remember what that place  
5 looked like?  
6 A. Yes, I do.  
7 Q. Can you describe it to us?  
8 A. It was located in the Belvidere Mall,  
9 which was a long building with approximately 30, 40  
10 other stores. Montgomery Ward's were the major  
11 store at the Belvidere Mall. It had a service  
12 center as you go in with approximately six to eight  
13 service doors. It had a garden center, and they  
14 had a store itself, which was a rather large store  
15 at that time.  
16 (WHEREUPON, Mr. Steven B. Varick  
17 entered the deposition proceedings.)  
18 BY MR. SILVERGLADE:  
19 Q. Was the auto service center attached to  
20 the building or was it detached?  
21 A. I believe it was attached at just a  
22 lower level only one store.  
23 Q. Do you recall there being a contract or  
24 any written agreement with Montgomery Ward?

1 A. I don't recall.  
2 Q. Do you recall who you dealt with at  
3 Montgomery Ward?

4 A. I don't remember the name, but it was  
5 usually the store manager.  
6 Q. Do you remember what he looked like?  
7 A. I don't.  
8 Q. Did you do the pickup at Montgomery  
9 Ward?  
10 A. Most of the time, yes.  
11 Q. Who else would have done the pickup?  
12 A. It could have been any of the other  
13 three drivers.  
14 Q. But you were the primary Montgomery Ward  
15 pickup.  
16 A. Yes.  
17 Q. Did your brother Ole do the pickup  
18 periodically?  
19 A. He would do it also.  
20 Q. Can you break up the percentage as to  
21 how often you would do it versus, let's say, Ole?  
22 A. It would be a guesstimate. I would say  
23 mine would be like 85 percent.  
24 Q. Okay. So you were certainly the primary

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1 Montgomery Ward pickup.  
2 A. Yes.  
3 Q. Okay. Do you remember what the  
4 containers were at the Montgomery Ward facilities?  
5 A. Yes. There was two locations for  
6 pickup, at the service center and at the store  
7 itself.  
8 Q. Can you tell us what containers were at  
9 each location?  
10 A. Well, at the service center there was  
11 several one-gallon containers spotted at a couple  
12 or three different locations. At the store itself  
13 we had 42-foot semi-trailer parked and all the  
14 trash were put into that.  
15 Q. Let's talk about the auto facility first  
16 and then we will talk about the store location.  
17 A. Okay.  
18 Q. The auto facility, how many times a week  
19 did you stop there?  
20 A. I believe it was three times a week.  
21 Q. How often would the store location be  
22 picked up?  
23 A. On a daily basis.  
24 Q. When you say "daily," do you mean five

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1 times a week?  
2 A. I mean Saturday included.  
3 Q. So six days a week.  
4 A. Yes.  
5 Q. Would the same truck do the auto pickup  
6 as did the store location pickup?

7 A. Yes.  
8 Q. The same truck would do both stops?  
9 A. Yes.  
10 Q. Do you recall checking in with anyone at  
11 Montgomery Ward when you got to the facility? Did  
12 you have to check in? How was it done? Did you  
13 check in with someone or you went right to the --  
14 A. On a daily basis, no, we did not check  
15 in.  
16 Q. Was the semi-trailer that was located by  
17 the store facility typically half full,  
18 three-quarters full? Can you recall how full that  
19 would be?  
20 A. That varied. A busy store like around  
21 Christmastime and other busy times, it would be  
22 full.  
23 Q. Okay. So its volume inside the truck  
24 would vary.

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1 A. Yes.  
2 Q. Can you remember not on a busy time of  
3 the year how full it would typically be?  
4 A. That would vary from day to day though,  
5 but I would say more than half full.  
6 Q. Do you recall who the customers were  
7 that you would go to before and after visiting  
8 Montgomery Ward?  
9 A. I recall who we went to after Montgomery  
10 Ward.  
11 Q. Who is that?  
12 A. That would be the Belvidere Mall  
13 containers, which were located on the side of the  
14 mall.  
15 Q. So the mall had its own pickup  
16 containers.  
17 MS. CLOKEY: Object to the form of the  
18 question.  
19 BY MR. SILVERGLADE:  
20 Q. Did the mall have its own containers  
21 that you picked up?  
22 A. Each individual store had its own  
23 container.  
24 Q. Did the mall have any unified pickup

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1 containers?  
2 A. By that, you mean the owners of the  
3 mall?  
4 Q. Yes.  
5 A. I believe the owners of the mall had a  
6 one-yard container.  
7 Q. Do you recall what truck did the  
8 Montgomery Ward pickup?  
9 A. It was one of the Leaches.

10 Q. Do you remember how you billed  
11 Montgomery Ward or where the bill was sent?  
12 A. I don't recall it.  
13 Q. Do you recall where the waste was taken  
14 that was picked up at the two Montgomery Ward  
15 containers?  
16 A. Yes. It was taken to the Yeoman Creek  
17 Landfill.  
18 Q. Was it ever taken to what you called  
19 Griess-Pfleger?  
20 A. No.  
21 Q. How about special pickups? Were there  
22 special pickups at Montgomery Ward?  
23 A. I don't recall. There could have been.  
24 Q. Were there any other companies that had

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1 containers at Montgomery Ward?  
2 MS. CLOKEY: Trash containers?  
3 MR. SILVERGLADE: Trash containers.  
4 BY THE WITNESS:  
5 A. Not to my knowledge.  
6 BY MR. SILVERGLADE:  
7 Q. Do you have any knowledge about any  
8 other waste hauler picking up from Montgomery Ward?  
9 A. Not to my knowledge.  
10 Q. Were there any records made when you  
11 made the stop at Montgomery Ward? Were there any  
12 notations in the truck or anything?  
13 A. Not that I recall.  
14 Q. Who would have been driving the route  
15 that went on Genesee Street, do you recall?  
16 MS. CLOKEY: Could we have a period of time  
17 for your question?  
18 BY MR. SILVERGLADE:  
19 Q. In the early sixties, '60 through '65,  
20 who would have driven the Genesee route?  
21 A. I probably would have.  
22 MR. SILVERGLADE: That's all I have.  
23 Thank you.  
24 MR. RANDOLPH: Anyone else in the room besides